

THE NORTHERN WORLD ● ● ● BRILL

Urban Politics and the British Civil Wars

Edinburgh, 1617-53



Laura A.M. Stewart



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URBAN POLITICS AND THE BRITISH CIVIL WARS

THE NORTHERN WORLD

North Europe and the Baltic c. 400-1700 AD
Peoples, Economies and Cultures

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URBAN POLITICS AND BRITISH CIVIL WARS

Edinburgh, 1617-53

BY

LAURA A.M. STEWART



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ABBREVIATIONS

<i>Ancram and Lothian</i>	<i>Correspondence of Sir Robert Kerr, first earl of Ancram and William, third earl of Lothian</i> , ed. D. Laing (2 vols., Bannatyne Club, 1875).
APS	<i>Acts of the Parliaments of Scotland</i> , eds. T. Thomson and C. Innes (12 vols., 1814–75).
<i>Baillie</i>	<i>Letters and Journals of Robert Baillie</i> , ed. D. Laing (2 vols., Edinburgh, 1841).
Balfour, <i>Works</i>	<i>The Historical Works of Sir James Balfour: The Annales of Scotland 1604–1650</i> , ed. J. Haig (4 vols., Edinburgh, 1824).
BL	British Library, London.
BOEC	<i>Book of the Old Edinburgh Club</i> .
BUK	<i>Acts of the Proceedings of the General Assemblies of the Kirk of Scotland from the Year 1560</i> [<i>The Booke of the Universall Kirk of Scotland</i>], ed. T. Thomson (3 vols., Maitland Club, 1839–45).
Calderwood, <i>History</i>	D. Calderwood, <i>History of the Kirk of Scotland</i> , ed. T. Thomson (8 vols., Edinburgh, 1843).
<i>Commission</i>	<i>The Records of the Commissions of the General Assemblies of the Church of Scotland 1646–52</i> , eds. A.F. Mitchell and J. Christie (3 vols., SHS, 1st ser., 1892–1909).
CRB	<i>Extracts from the Conventions of the Royal Burghs of Scotland</i> , ed. J.D. Marwick (8 vols., Edinburgh, 1878).
CSPD	<i>Calendar of State Papers, Domestic</i> , 2nd series, 1625–1702, ed. W.D. Hamilton <i>et al.</i> (77 vols., London, 1897–1937).
ECA	Edinburgh City Archives, City Chambers, Edinburgh.
<i>Edin Recs</i>	<i>Extracts from the Records of the Burgh of Edinburgh, 1403–1589</i> , ed. J.D. Marwick (4 vols., SBRS, Edinburgh, 1869–82). <i>Extracts from the Records of the Burgh of Edinburgh, 1589–1665</i> , ed. M. Wood (5 vols., SBRS, Edinburgh, 1927–40).

<i>Fasti</i>	<i>Fasti Ecclesiae Scoticanæ</i> , ed. H. Scott (8 vols., new edn., Edinburgh, 1915–25).
Gordon, <i>Scots Affairs</i>	J. Gordon, <i>History of Scots Affairs, from MDCXXXVII to MDCXLI</i> , eds. J. Robertson and G. Grub (3 vols., Spalding Club, 1841).
HMC	Historical Manuscripts Commission.
NAS	National Archives of Scotland, Edinburgh.
NLS	National Library of Scotland, Edinburgh.
<i>OLEAS</i>	<i>Original Letters relating to the Ecclesiastical Affairs of Scotland</i> , ed. B. Botfield (2 vols., Bannatyne Club, 1851).
PRO	Public Record Office, London. Now the National Archives at Kew.
Row, <i>Historie</i>	<i>Historie of the Kirk of Scotland 1558–1637 by John Row with a continuation to July 1639 by his son, John Row</i> , ed. D. Laing (Wodrow Society, 1842).
<i>RCRB</i>	<i>Records of the Conventions of Royal Burghs</i> , eds. J.D. Marwick and T. Hunter (4 vols., Edinburgh, 1866–1915).
<i>RMS</i>	<i>Registrum Magni Sigilli Regum Scotorum</i> , ed. J.M. Thomson <i>et al.</i> (11 vols., Edinburgh, 1882–1914).
<i>RPCS</i>	<i>Register of the Privy Council of Scotland</i> , 1st series, ed. J. Burton <i>et al.</i> (14 vols., Edinburgh, 1878–1908). <i>Register of the Privy Council of Scotland</i> , 2nd series, ed. D. Masson (8 vols., Edinburgh, 1899–1908). <i>Register of the Privy Council of Scotland</i> , 3rd series, ed. P. Hume Brown (16 vols., Edinburgh, 1908–1970).
<i>RSCHS</i>	<i>Records of the Scottish Church History Society.</i>
SBRS	Scottish Burgh Records Society.
<i>Scots Peerage</i>	<i>Scots Peerage</i> , ed. J. Balfour Paul (9 vols., Edinburgh, 1904–14).
<i>SHR</i>	<i>Scottish Historical Review.</i>
SHS	Scottish History Society.
SRS	Scottish Record Society.
<i>Stirling's Register</i>	<i>The Earl of Stirling's Register of Royal Letters relative to the Affairs of Scotland and Nova Scotia from 1615 to 1635</i> (2 vols., Grampian Club, 1885).
<i>Wariston's Diary</i>	<i>Diary of Sir Archibald Johnston of Wariston 1632–39</i> , ed. G.M. Paul (SHS, 1st series, 1911).

Wariston's Diary and other Papers Diary of Sir Archibald Johnston Lord Wariston 1639 and other papers, ed. G.M. Paul (SHS, 1st series, 1896).

Notes

After 1603, the value of £12 Scots was fixed at £1 sterling. 1 merk was worth approximately 13s 6d in Scots money. Unless otherwise stated, all amounts are given in £ Scots.

All dates are given with the year beginning in January.

Punctuation in quotations has been modernised. Names have been standardised, but kept as close as possible to a version recognisable in seventeenth-century Edinburgh.

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Picture Acknowledgements

Cover image	Dean House panels, ‘Sense of Sight Personified’ Courtesy of the National Museums of Scotland
Map 1	James Gordon of Rothiemay’s ‘Bird’s eye view of Edinburgh’, 1647 Courtesy of the Trustees of the National Library of Scotland
Maps 2, 3, 4	Maps of Edinburgh’s secular administration and parishes Adapted from M. Lynch, ‘The Development of Edinburgh’ in P.G.B. McNeill and H.L. MacQueen (eds.), <i>Atlas of Scottish History to 1707</i> (Edinburgh, 1996). With the permission of the Atlas Trustees
Plates 1–4	By the author
Plates 5, 6	Communion bread plate and cups, Edinburgh Courtesy of the National Museums of Scotland

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Private Collections

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FOREWORD

I came to Edinburgh in 1999 to do a PhD focusing on seventeenth century Scottish history. Where better than the capital, and the newest of Scotland's 'old' universities, itself founded in the reign of James VI and later given his name. As a city, Edinburgh is one of Britain's most scenically stunning places to live in. It is also small, eccentric, self-important, extremely windy in winter and claustrophobically inundated with tourists in summer. It is more cosmopolitan than many people think it will be, but less broad-minded, perhaps, than it ought to be (visitors might assume that Edinburgh's good citizens consider nothing more important than road humps and wheelie bins). The seventeenth-century historian cannot but become attached to Edinburgh, which still carries the spatial and architectural footprint of the period I work in. While this book is intended to be a scholarly investigation of religion and politics, I hope it reflects a little of my regard for what has, in the absence of an alternative claimant, become my adopted home town.

There are people I would like to thank for their support and encouragement since I first started working on the PhD this book is based on: Keith Brown, for suggesting a good idea, and Michael Lynch, for agreeing that it was a good idea. Points raised by Jane Ohlmeyer and Pat Dennison have been an invaluable guide for the rewriting process. Others have given advice, talked through niggly points or provided access to their own research: Roger Mason, Alan MacDonald, Sharon Adams, Alex Woolf, Liz Ewan, George Dalgleish, James Brown, David Mullan, Phil Withington, Michael Bury, Alasdair Raffé and the late Conrad Russell. Alasdair Raffé and Katharine Glover at Edinburgh University very kindly agreed to assist me with the index. I would also like to thank Brill Academic Publishers, and particularly Marcella Mulder, for helpful advice throughout the writing and editing process.

Particular thanks go to Pam McNicol and Stefanie Davidson, formerly of Edinburgh City Archives. Without their professionalism, friendship and regular cups of tea, I could never have endured the Archives long enough to write anything remotely interesting.

I am indebted to Julian Goodare for long conversations about things nobody else in the world knows or cares about. More importantly, he leant a sympathetic ear—then told me to get on with it.

In the process of writing the book, some of the more tediously meticulous arguments from the PhD were removed while new sections were inserted. Urban historians who want to see the statistical basis for the discussion in Chapter One may wish to consult the thesis. Further research carried out under a British Academy postdoctoral fellowship has enabled me to include new sections on urban finance, the urban economy and taxation. Concepts such as puritanism and the state, which I was perhaps too shy of in the PhD, receive fuller discussion here.

If I was an academic of a certain generation, I would now thank my wife for typing the manuscript. Gareth Simpson did not type the manuscript, but his work as a marine geophysicist came in handy for making the maps. I have more than cartography to thank you for, but this isn't the place.

L.A.M. Stewart
Edinburgh, autumn 2005

INTRODUCTION

EDINBURGH AND THE SEVENTEENTH CENTURY

... a word or two of Edenborough, although I have scarcely given it that due which belongs unto it, for their lofty and stately buildings, and for their faire and spacious streete, yet my minde perswades me that they in former ages that first founded that citie did not so well, in that they built it in so discommodious a place; for the sea, and all navigable rivers, being the chiefe meanes for the enriching of townes and cities, by the reason of traffique with forraine nations, with exportation, transportation, and receite of variety of marchandizing...

John Taylor, the 'water-poet', 1618.¹

Forsamekle as the burgh of Edinburgh, quhilk is the chief and principall burgh of the kingdome... is now become so filthie and uncleine, and the streities, vennallis, wyndis, and cloisis thair of so overlayde and coverit with middingis, and the filthe and excrementis of man and beast, as the nobilmen, counsalloris, senatoris, and utheris his Majesteis subjectis... can not have ane clene and frie passage and entrie to thair ludgingis...

Scottish privy council, March 1619.²

These two views of Edinburgh in the early seventeenth century sound as if they might be describing two different towns. Noblemen and merchant princes built great mansions in the closes behind the High Street, but they still had to step over human effluence, animals and the begging poor to get to their front doors. On the eve of the Prayer Book crisis, the capital occupied a precarious site barely a square mile in size, which somehow managed to house around 25,000 people. The suburbs hooked into Edinburgh's jurisdictional net during the early seventeenth century made this figure over 30,000. Edinburgh was therefore about twice the size of rivals Aberdeen or Dundee and slightly larger than Dublin.³ There were around two-dozen markets

¹ *Early Travellers in Scotland*, ed. P. Hume Brown (Edinburgh, 1973), 111–12.

² *RPCS*, 1st ser., xi, 530.

³ J.J. Brown, 'The Social and Economic Influences on the Edinburgh Merchant Elite, 1600–38' (PhD thesis, Edinburgh, 1986), 13. W. Makey, 'Edinburgh in the

crammed into the space within the city's walls, reflecting Edinburgh's primary function as a place to trade. By the early seventeenth century, its economic position seemed unassailable. The burgh's tax assessment was over 2.5 times that of nearest competitor Dundee, and at least 70 per cent of the country's staple exports, such as wool, wool cloth and sheepskin, were leaving via Edinburgh's satellite port of Leith.⁴ In this respect, Edinburgh would simply have been a bigger, more prosperous version of many other royal burghs, but what made the social mix in the town so unique was the presence of the privy council, the central justice courts and the attendant coterie of lawyers required to service the expanding business of the two bodies. Even more than in Dublin, the growth of a centralising government bureaucracy made Edinburgh into something rather more interesting than a mere provincial satellite of London. This was, in Walter Makey's phrase, an 'affluent, bustling, riotous and insanitary' town that constantly strained the resources of its government to maintain some semblance of order.⁵

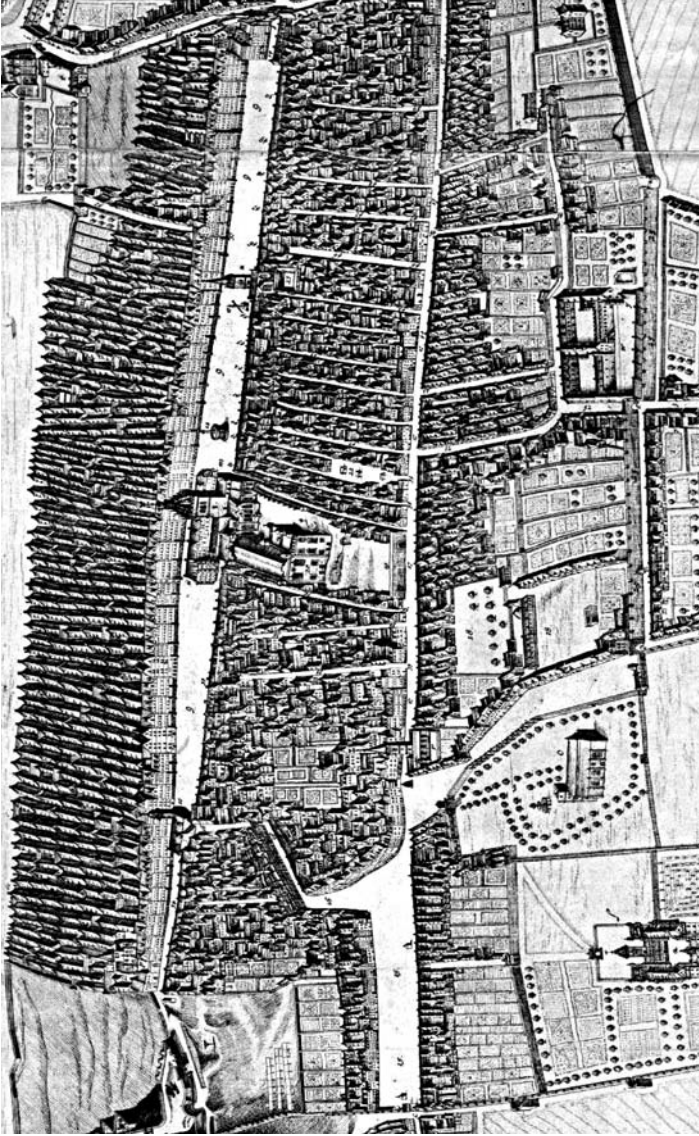
Despite a burst of interest in Scottish urban history in recent years,⁶ there is still much to be done. There is little in print which specifically addresses the seventeenth century, with the middle decades in particular proving something of a black hole. Pre-Enlightenment Edinburgh has only very recently begun to attract scholarly attention; it remains, as some historians have noted, 'under-researched', perhaps because some have found James Craig's Enlightened New Town a far more stimulating environment to work in than the dingy closes of the Old

Mid-Seventeenth Century' in M. Lynch (ed.), *The Early Modern Town in Scotland* (London, 1987), 198, 206. E. Ewan, *Townlife in Fourteenth Century Scotland* (Edinburgh, 1990), 92. *Atlas of Scottish History to 1707*, ed. P.G.B. McNeill and H.L. MacQueen (Edinburgh, 1996), 456. M. Lynch, *Edinburgh and the Reformation* (Edinburgh, 1981), 9. R. Gillespie, 'Dublin 1600–1700: A City and its Hinterlands' in P. Clark and B. Lepetit (eds), *Capital Cities and their Hinterlands in Early Modern Europe* (Aldershot, 1996), 84.

⁴ ECA, Stent Rolls 1601–30, SL135/1/2. Lynch, 'Introduction' and J.J. Brown, 'Merchant Princes and Mercantile Investment' in Lynch (ed.), *Early Modern Town*, 6, 8–9, 126–27. Tax rolls underestimated Edinburgh's pre-eminence, because its political influence probably allowed it to pay proportionately less tax than its rivals.

⁵ Makey, 'Edinburgh', 197. Gillespie, 'Dublin', 85–7.

⁶ M. Lynch, M. Spearman and G. Stell (eds), *The Scottish Medieval Town* (Edinburgh, 1988). Ewan, *Town Life*. Lynch, *Early Modern Town*. Interest in the history, archaeology and future development of Scottish towns is reflected in the Scottish Burgh Survey Series, ed. E.P. Dennison, *et al.*



Map 1: James Gordon of Rotheimay's 'Bird's Eye View of Edinburgh', 1647. From the castle to the Netherbow Port. Although stylised, Rotheimay's map conveys well the cramped conditions on the north side of the High Street. St Giles' is in the centre, flanked by the parliament house. To the east of St Giles' is the market cross and the Tron church. To the west, at the head of the Bow, is the weight-house. Greyfriars' church is situated bottom left, northeast of Heriot's hospital and opposite the Society, where the town's brewing consortium was based. Trinity College church, its hospital, St Paul's work and the correction house are top right. The town's college is bottom centre. Note also the Castlehill church, to the east of the castle. It was never completed.

Town.⁷ No-one, admittedly, could call early modern Edinburgh an ‘urban supernova’, on a par with cultural and mercantile power-houses such as Amsterdam, Paris or London, but it was still the capital of a sovereign kingdom with long-established European ties. It was not a ‘colonial’ capital within a London ‘hinterland’, either, and while London was undoubtedly a powerful influence on Edinburgh, the northern city remained a distinctive political, economic and cultural entity during this period.⁸ As a capital, albeit a diminutive one, Edinburgh faced many of the same problems experienced by the metropolitan cities of expanding, centralising states—rapid population growth, increasing monarchic intervention in its affairs and pressurised resources.⁹ With its own self-electing, semi-autonomous government, Edinburgh’s inhabitants possessed a level of political influence over their own affairs that surpassed that of many similar-sized European centres. Pre-1707 Edinburgh justifiably has a reputation for terrible sanitation, rabid anti-Catholicism and corporate xenophobia, but it was also a lively place with a profound sense of its own political and cultural identity.

⁷ K.M. Brown and A.J. Mann, ‘Introduction: Parliament and Politics in Scotland, 14567–1707’ in K.M. Brown and A.J. Mann (eds), *The History of the Scottish Parliament, Volume 2: Parliament and Politics in Scotland, 1567–1707* (Edinburgh, 2005), 38. The exceptions are Lynch, *Edinburgh*, which deals with politics and religion in the third quarter of the sixteenth century, H. Dingwall, *Late Seventeenth-Century Edinburgh: A Demographic Study* (Aldershot, 1994), which looks at population and society, and R.A. Houston, *Social Change in the Age of Enlightenment: Edinburgh, 1660–1760* (Oxford, 1994), which gives a broad social and cultural overview. See also H. Dingwall, ‘The Importance of Social Factors in Determining the Composition of the Town Councils in Edinburgh, 1550–1650’ in *SHR*, lxxv (1986), and Makey, ‘Edinburgh’. L.A.M. Stewart, ‘Poor Relief in Edinburgh and the Famine of 1621–24’, *International Review of Scottish Studies*, 30 (2005), deals with social control in the capital. There is no scholarly study of Edinburgh that covers the long time-period of E.P. Dennison, D. Ditchburn and M. Lynch (eds), *A New History of Aberdeen, volume I: Before 1800* (East Linton, 2002). The opening of the new parliament has also occasioned a detailed study of Edinburgh’s neighbour, Canongate, in E.P. Dennison, *Holyrood and Canongate: A Thousand Years of History* (Edinburgh, 2005). Pre-1707 Edinburgh is dismissed, speedily, in J. Buchan, *Capital of the Mind: How Edinburgh Changed the World* (London, 2003), 1, 4.

⁸ P. Clark and B. Lepetit, ‘Introduction’ in P. Clark and B. Lepetit, *Capital Cities*, 1, 7, 9. P. O’Brien et al. (eds), *Urban Achievement in Early Modern Europe: Golden Ages in Antwerp, Amsterdam and London* (Cambridge, 2001) reveals the vibrant north European cultural and mercantile world that Edinburgh related to, albeit from the periphery.

⁹ O.P. Grell, A. Cunningham and J. Arrizabalaga (eds), *Health Care and Poor Relief in Protestant Europe* (London, 1997).

The first part of the book considers Edinburgh as an urban community, with particular emphasis on its political structures. As the sixteenth century drew to a close, Edinburgh town council appeared to be securely in the grip of a merchant oligarchy that had apparently retreated into ‘authoritarianism and remoteness’¹⁰ in order to maintain its dominance. The expansion of local government bureaucracy taking place during the first few decades of the seventeenth century did not threaten, but actually intensified, this development, by concentrating greater power over burgh institutions in the hands of the elite. This trend was neither interrupted nor reversed during the 1640s, when the upheavals of civil war could conceivably have led to a widening of the town council’s social base.¹¹ With this consolidation of political influence went conspicuous consumption, as the tight-knit circles of inter-related families at the apex of Edinburgh society used their wealth to underpin their status. Leading local politicians built surprisingly spacious mansions, contributed to prestigious civic schemes and erected eye-catching burial monuments. Such unashamedly public spending was common amongst landholding nobles,¹² but Edinburgh’s merchants were not, in the main, playing at being the gentry. With the nobility traditionally preferring the garden suburb of Canongate to the squashed conditions at the top of the High Street, Edinburgh’s elite displayed and reinforced their pre-eminence within a specifically urban social hierarchy.

The urban hierarchy was also manifested in the explosion of public works during the first few decades of the century. Historians have focused on the parliament house, begun in 1632, and emphasised the way in which it signified Edinburgh’s political importance. Other building programmes going on around the same time were more closely related to particular urban concerns. In the two decades before King James’s death, Edinburgh town council had reconstructed the prison at the old tolbooth, remodelled the Netherbow port separating Edinburgh from Canongate, erected a weigh-house, improved facilities at the college and moved the renovated market cross to a

¹⁰ Lynch, ‘Introduction’ in *Early Modern Town*, 28.

¹¹ Helen Dingwall’s important work on this subject suggested this possibility, ‘The Importance of Social Factors’, 17, 25, 31–2.

¹² K.M. Brown, *Noble Society in Scotland: Wealth, Family and Culture, from Reformation to Revolution*, (Edinburgh, 2000), 204–07, 265–69.

location more suited to public congregating. The period also saw the construction of Heriot's hospital for the orphaned poor, a manufactory for the instruction of destitute children and a correction house. These schemes were made possible by the unprecedented peace and prosperity of early seventeenth-century Scotland, but they were also, in part, motivated by a growing sense of the disorderliness of the urban environment.¹³ Much of the relatively modest building activity carried out in Edinburgh was not intended, primarily, to enhance the burgh's prestige or its sense of itself as a capital. It was aimed at the much more prosaic business of maintaining the physical symbols of the town council's authority. In this respect, the parliament house project was part of a broader effort by the urban elite to give visual expression to a social hierarchy seemingly threatened by the forces of confusion, poverty and idleness.

The repository of elite power was, of course, the town council, where a subtle 'stretching' of burgh institutions 'camouflaged' the quiet process of elite political consolidation in the pre-civil war decades.¹⁴ Developments in the church during the same period were far more controversial. Edinburgh's *corpus christianum*—a medieval concept that retained meaning well into the post-Reformation era—was under great strain for practical and ideological reasons. The parishes of Edinburgh were subject to intermittent reorganisations as the church struggled to maintain a high standard of pastoral care for the capital's mushrooming population. While the town council was probably sympathetic to the idea of better-paid ministers and more space for the congregations sardined into Edinburgh's handful of churches, it was less enthusiastic about the cost. There was also an inherent tension over where the boundaries of the respective spheres actually lay. If the church wanted to save the town council some work, by rounding up whores, for example, or by wringing poor relief contributions out of parishioners, there were no complaints. It was a very different matter when the church started opining on who should be provost, or questioned the town council's wisdom over clerical appointments. This was no straight-forward division between 'church' and 'state', however; through the formal structure of the

¹³ *Edin Recs 1604–26*, pp. xxxii–xxxiii. *Edin Recs 1626–41*, pp. xlv–xlvii, xlix–l. RCAHMS, *Tolbooths and Townhouses: Civic Architecture in Scotland to 1833* (Edinburgh, 1996), 82, 86.

¹⁴ Lynch, 'Introduction' in *Early Modern Town*, 28.

kirk session, or informally, through congregational participation in church affairs, Edinburgh's articulate and well-informed laity were quite capable of expressing views that challenged both the clerical and secular hierarchies.

This high level of lay input into church activities gave the capital a distinctive religious culture, where congregations eagerly embraced and enforced sabbatarianism, *ex tempore* preaching, strict social discipline and, most importantly of all, sacramental forms that emphasised the communal nature of the experience. Even if these values were not whole-heartedly adopted by every Edinburgh inhabitant, they provided reference-points by which rich and poor, burgess and unfreeman, male and female, could identify themselves as members of the same society. James and Charles both attempted to strip away those things that enabled Edinburgh to herald itself as the Jerusalem of a godly nation, and by so doing, attacked Edinburgh's very sense of itself as a community. The signing of the National Covenant in Greyfriars' churchyard was therefore very much an Edinburgh event, where the unity of the burgh community was redefined and Edinburgh's leadership of the national community reasserted. Although the later 1640s revealed that unity to be more imagined than real when put under close scrutiny, Edinburgh's very particular religious culture, and its emphasis on social and religious concord, was a critical component in the collapse of royal government in Scotland.

These concepts are interesting in their own right, but a study of Edinburgh's political and religious culture would be limited if no consideration was given to the capital's place within the wider British polity.¹⁵ The second part of the book aims to do so. After 1603, Edinburgh was the chief burgh of a kingdom without a (resident) king, but pioneering studies by Maurice Lee and, from a different perspective, Julian Goodare, have shown that absentee monarchy did not necessarily mean absentee government.¹⁶ The privy council was

¹⁵ See the Chronological Overview for a guide to the major events of the period.

¹⁶ M. Lee, *Government by Pen: Scotland under James VI* (Urbana, 1980); *Great Britain's Solomon* (Illinois, 1991); *The Road to Revolution: Scotland under Charles I, 1625–37* (Illinois, 1985). Lee uses the term 'absentee government', but his own deep knowledge of Scottish politics indicates that the monarch was absent, but Scotland was not left ungoverned. Julian Goodare has focused on how government functioned, at local and national level, and the extent to which the latter could influence or direct what happened in the former. J. Goodare, *State and Society in Early Modern Scotland* (Oxford, 1999); *The Government of Scotland, 1560–1625* (Oxford, 2004).

an executive body with a wide remit, but from an Edinburgh perspective, it provided a valuable mediating role between a monarch who was increasingly out of touch with Scottish affairs and a capital with a very pronounced sense of its own importance. If privy councillors really were 'simply the agents' of the king, receiving his instructions 'submissively, and executing them without demur or remonstrance',¹⁷ Scotland would have been difficult to govern effectively from distant London. Edinburgh in particular, because of its status and its example to the rest of Scotland, in all aspects of political, social, religious and economic affairs, needed an authoritative privy council. That body was expected to be supportive of Edinburgh's interests (without being blindly partisan), while avoiding abrasive interference. Although the relationship was not without its tensions, Edinburgh was well-served by the privy council during James's reign. His leading Scottish servants were capable administrators who generally worked well together. As Chapters Four and Five illustrate, Edinburgh's continuing ability to protect its interests after 1603 had much to do with the privy council's capacity for making its own decisions, without necessarily referring to the king for very much more than a broad outline of policy.

Religious issues during the 1620s showed the importance of the privy council as a mediator, confident, as the king was not, in its grasp of the realities of Scottish politics. Despite considerable evidence to the contrary,¹⁸ the belief persists that James VI and I's controversial reforms to Scottish worship, known as the Five Articles of Perth, were not insisted upon.¹⁹ This is an error that has contorted the way that historians evaluate the outbreak of the British civil wars. While it is pleasing to see the Scottish context of the civil wars getting due recognition, James's fascinating personality and able mind cannot be allowed to pull the wool over the historian's eyes.²⁰ James

¹⁷ *RPCS*, 1st ser., xi, p. vi. For a more balanced analysis of the privy council's role, see Goodare, *Government of Scotland*, ch. 6.

¹⁸ *RPCS*, 1st ser., xi–xiii. Calderwood, *History*, vii. Row, *Historie. Edin Recs 1604–26*.

¹⁹ C. Russell, *The Fall of the British Monarchies 1637–42* (Oxford, 1991), 34. S. Schama, *A History of Britain: The British Wars, 1603–1776* (London, 2001), 31.

²⁰ Jenny Wormald focuses on James's political successes, not his ecclesiastical policy or religious dissent. J. Wormald, 'King James VI and I: two kings or one?' in *History*, lxxviii (1983), 195–205. Lee claims James was distracted by other affairs and uninterested in 'too vehement an insistence' on observing the Articles. Elsewhere, he stresses the 'magnitude' of James's achievements after 1603. Lee, *Government by Pen*, 185, 220.

did insist on this disastrous policy, as Chapter Five confirms. The Articles were so unpopular that almost no-one in Scotland, excepting a handful of hardline ecclesiastics, would enforce them. As a result, both the effectiveness of royal government and the status of the newly-restored episcopate were compromised. The popularity of anti-Articles agitation, in contrast to the contemporary puritan movement in England, was of crucial political, not just religious, significance. Without it, Charles I's opponents could not have found their only effective means of expression.²¹

As well as absolving the Scottish Solomon of responsibility for destabilising the British polity, ignoring James's part in the Articles also ensures that Charles gets all the blame instead. The Prayer Book did not create opposition to Crown religious policy, but added the straw to the proverbial camel's back, already laden down with so-called innovations that smacked of popish corruption. It was the Five Articles of Perth that created the sophisticated, well-organised and popular movement that by the 1630s was capable of challenging the government. An exclusive focus on Charles's policies distracts attention from the established nature of religious dissent and its roots in James's Scottish reign.²² As we will see, this longer historical perspective is necessary for the question of structural weaknesses in multiple monarchy to take equal precedence with the accident of kingly personality. In trying to understand why Charles's government collapsed in Scotland in 1638, 1617 is no less arbitrary than any other starting point, but it does avoid the historical baggage that goes with 1625 (Charles's accession) or 1629 (the personal or prerogative rule).²³

²¹ L.A.M. Stewart, "'Brothers in Treuth': Propaganda, Public Opinion and the Perth Articles Debate in Scotland' in R. Houlbrooke (ed.), *James VI and I: Ideas, Authority and Government* (Ashgate, forthcoming, 2006).

²² D. Stevenson, 'Conventicles in the Kirk, 1619–37: The Emergence of a Radical Party' in *RSCHS*, xviii (1972–4), 101–8.

²³ P. Donald, *An Uncounselled King: Charles I and the Scottish Troubles 1637–41* (Cambridge, 1990), ch. 1. Stevenson, *The Scottish Revolution, 1637–44: The Triumph of the Covenanters* (Newton Abbot, 1973), ch. 1. Lee's *Road to Revolution*, ch. 1, begins by describing Charles's dismantling of his father's system of government, again implying the importance of 1625. A.I. Macinnes, *Charles I and the Making of the Covenanting Movement* (Edinburgh, 1991), ch. 1, does consider James's reign and the galvanising effect of the Articles. Macinnes's more recent analysis of the civil wars sees 1629 as the crucial date when, with Charles's imposition of a programme of British uniformity, 'disruption commenced'. A.I. Macinnes, *The British Revolution, 1629–1660* (Basingstoke, 2005), 4. For longer a longer perspective, which addresses the problems

The culture lying behind the widespread unpopularity of Stuart religious reforms made Scotland, according to Margo Todd, 'a puritan nation'.²⁴ Does this term, with its explicitly English origin, meaningfully describe the commonplace religious experience in seventeenth-century Scotland?²⁵ It is true that much of the country's mainstream religious activity, at least in the Lowlands, would be regarded as puritan in an English context. Intensive bible-study, family exercises, fasting, *ex tempore* sermonising and observance of the sabbath were recognised features of Scottish religious life, routinely sanctioned by the higher church courts and actively endorsed at parish level. It probably does say something about expressions of faith that huge field conventicles, which presented a direct challenge to the established church, became so popular during the 1620s and 1630s in Scotland, but do not feature at all in England.²⁶ The description of Scotland as 'a puritan nation' does have validity, especially as a means of describing the Scottish position *vis-à-vis* their Protestant neighbour. Seventeenth-century Scots prided themselves on having achieved a more thorough-going reformation than England and, in part, sought to define their own place in the European reformed tradition by favourable comparison with the Anglican model. Where the term might be less useful is in teasing out the shifts of allegiance

of absentee monarchy, see K.M. Brown, *Kingdom or Province? Scotland and the Regal Union, 1603–1707* (London, 1992), 97–111. Makey, *Church of the Covenant* also has interesting (if rather long-winded) things to say about fundamental changes in Scottish society before 1637, most notably the feuing of church lands and the attendant rise of a 'middling sort'.

²⁴ M. Todd, *The Culture of Protestantism in Early Modern Scotland* (New Haven, New Jersey, 2003), 402.

²⁵ Puritanism is distinguished by its 'unique and dynamic culture' in C. Durston and J. Eales, 'Introduction: The Puritan Ethos, 1560–1700' in C. Durston and J. Eales (eds), *The Culture of English Puritanism, 1560–1700* (London, 1996), 1–9. The Oxford English Dictionary definition of puritan describes it as an English phenomenon.

²⁶ J. Coffey, *Politics, Religion and the British Revolutions: The Mind of Samuel Rutherford* (Cambridge, 1997), 17. Durston and Eales, 'Introduction' and P. Collinson, 'Elizabethan and Jacobean Puritanism as Forms of Popular Religious Culture' in Durston and Eales (eds), *Culture of English Puritanism*, 13–15, 47–54. *The First Book of Discipline*, ed. J.K. Cameron (Edinburgh, 1972), pp. 185–87. D.M. Mullan, *Scottish Puritanism, 1590–1638* (Oxford, 2000), 124, 128. *BUK*, iii, 966, 996, 1052. *Selections from the Minutes of the Synod of Fife, 1611–1687* (Abbotsford Club, 1837), 17, 18, 20, 23, 42, 95, 98. *Selections from the Registers of the Presbytery of Lanark, 1623–1709*, (Abbotsford Club, 1839), p. 4. Collinson, 'Elizabethan and Jacobean Puritanism', pp. 37–8.

within the Scottish church over questions of polity and forms of worship.

The Scottish mainstream church, as in England, was not a homogeneous entity. It, too, had elements whose ‘enthusiasm and zeal for the cause’ often created friction with their less rigid brethren.²⁷ James VI himself talked of ‘Puritanes’ in *Basilicon Doron* and described them as ‘very pestes in the church and commonweale’.²⁸ If James was consciously using a word that had resonance for an English audience, he was evidently glossing over a very crucial difference between Scottish and English puritans—whereas the latter were campaigning for reform of church worship, the Scottish church already possessed those forms that English puritans were so desirous to see implemented. Although there was some variation, the Scottish church strongly preferred the sacrament to be given to seated communicants and was generally hostile to extraneous church decoration (even if some leading landowners remained partial to it) and ostentatious clerical attire. This broad agreement on external forms of worship meant that James’s ‘puritans’ were almost exclusively arguing with him about polity and, by extension, the king’s ecclesiastical powers—although the puritan moral agenda was also evident in embarrassing harangues from the pulpit against James’s bad habits. The presbyterian model of church government had been in the ascendant during the 1580s and into the 1590s, but by the time James began to scribble *Basilicon Doron*, presbyterians were being marginalised as their less dogmatic brethren acquiesced in the restoration of the episcopate. What is relevant here is that although presbyterians continued to be ‘very pests’ in the post-1603 church, the Scottish presbyterian, unlike the English puritan, was comfortable worshipping alongside everyone else. This greatly reduced the schismatic tendencies of the hotter sort of Scottish Protestant.

With his proposals for the reform of Scottish worship, which crystallised into the Five Articles of Perth, James created contention where previously none had existed. Before 1617, Protestant non-conformity meant nothing more ideologically significant than lapses

²⁷ A. Milton, *Catholic and Reformed: The Roman and Protestant Churches in English Protestant Thought* (Cambridge, 1995), 8.

²⁸ *Basilicon Doron of King James VI*, ed. J. Craigie (2 vols., Scottish Text Society, 1942–44), i, 79.

of attentiveness to correct form. Calvinism remained supreme and unchallenged, in parishes and universities alike; 'Arminian' would later become a slanderous term of abuse second only to 'popish', but even in the 1630s it is difficult to track down unorthodox views on predestination, or indeed, very much else that would point to anti-Calvinist ideas.²⁹ With the inception of the Articles, the Scottish church was split into conformists and nonconformists, whose doctrinal affinity with one another was rendered irrelevant as soon as the conformists got on their knees to take the sacrament. This development had a dramatic effect on the position of the moderate mainstream. Ironically, having spent years dissociating moderates from presbyterians, James's reforms welded them back together. Suddenly presbyterians were the heroes of the hour. The bishops had been exposed as wolves in sheeps' clothing, leaving the presbyterians as the ones to shepherd the flock safely away from the cliff-edge of popish practice. So successful was this self-propaganda that although most clerics probably did not regard presbyterianism as a mark of the true church, bishops were unceremoniously kicked out along with the Five Articles in 1638. Unlike in England, where competing visions for the church wrecked hopes of Protestant unity (a situation not improved by Scottish interference),³⁰ nobody seriously disagreed with the Covenanting settlement once it had been effected. The royalist political agendas championed, in their rather different ways, by the marquises of Montrose and Hamilton never proposed an alternative to the church that had been created by the Glasgow assembly.

New approaches to seventeenth-century British history, stressing the need to address developments in all parts of all the kingdoms,³¹ has given a broader context to Edinburgh's political role after 1603.

²⁹ Mullan, *Scottish Puritanism*, 211, 216, 221–26.

³⁰ J. Morrill, 'The Impact of Puritanism' in J. Morrill (ed.), *The Impact of the English Civil War* (London, 1991), 53–4.

³¹ A basic reading list would supplement n. 14 with J. Morrill (ed.), *The Scottish National Covenant in its British Context 1638–51* (Edinburgh, 1990). C. Russell, *British Monarchies*. Stevenson, *Scottish Revolution*. D. Stevenson, *Revolution and Counter-Revolution in Scotland 1644–51* (London, 1977). S.G. Ellis and S. Barber (eds), *Conquest and Union: Fashioning a British State, 1485–1725* (London and New York, 1995). J.R. Young (ed.), *Celtic Dimensions of the British Civil Wars* (Edinburgh, 1997). J. Ohlmeyer and A.I. Macinnes, *The Stuart Kingdoms in the Seventeenth Century* (Dublin, 2002). M. Fissel, *The Bishops' Wars: Charles I's campaigns against Scotland 1638–40* (Cambridge, 1994). Macinnes, *British Revolution*.

Having knocked down an edifice of old anachronisms, we are, unfortunately, in danger of rebuilding new ones. Pocock's challenging essay addresses the difficulty by asking if historians really are looking at the British civil wars, or whether Scotland, Ireland and Wales simply appear in order to explain something that happened in England.³² There has been a justifiable attempt to give Scotland its place in the British, European and Atlantic spheres, but to do this comprehensively, more research is needed into Scottish topics. How can we discuss Scotland's role in the British polity, or why critical events such as the parliamentary union of 1707 took place, if we do not know how Scottish government operated, who staffed it, or how it funded itself? While the Scottish parliament is finally being recognised as a political and constitutional entity worthy of historical study,³³ work on the interaction of early modern local and national government remains unfashionable. This is a particular drawback for our understanding of how royal government collapsed and a new regime moved into its place.³⁴ While Edinburgh found that Charles I's government was intrusive, imposed heavy taxes and rode roughshod over its cherished privileges, did distant localities, unburdened by capital status, feel the same? These features also distinguished the

³² J.G.A. Pocock, 'The Atlantic Archipelago and the War of the Three Kingdoms' in B. Bradshaw and J. Morrill (eds), *The British Problem, c.1534–1707: State Formation in the Atlantic Archipelago* (London, 1996), 172–73, 177. Addressing 'New British Histories' by widening the 'contextualisation' not deepening the 'problematizing' was the theme of A.I. Macinnes with J. Ohlmeyer, 'Introduction: Awkward neighbours?' in Macinnes and Ohlmeyer (eds.), *The Stuart Kingdoms*, 23.

³³ A.R. MacDonald, 'Deliberative Processes in Parliament c.1567–1639: Multicameralism and the Lords of the Articles, *SHR*, lxxxi (2002), 23–51. Alan MacDonald will shortly be publishing work on the Scottish burghs and parliament. J. Goodare, 'Scotland's parliament in its British context, 1603–1707' in T.H. Dickinson and M. Lynch (eds), *The Challenge to Westminster: Sovereignty, Devolution and Independence* (East Linton, 2000), 22–32. K.M. Brown and A.J. Mann (eds), *Parliament and Politics in Scotland, 1567–1707* (Edinburgh, 2005).

³⁴ A Scottish *Revolt in the Provinces*, after John Morrill, does not exist, perhaps because it has been (erroneously) assumed that Scotland was one big province rebelling against rule from London. Keith Brown has already indicated that there were royalists in Scotland prepared to fight for the king, Brown, 'Courtiers and Cavaliers' in Morrill (ed.), *Scottish National Covenant*, 155–83. One of the very few regional studies covering this period suggests local society was no more homogeneous than the peerage, S. Adams, 'A Regional Road to Revolution: Religion, Politics and Society in South-West Scotland, 1600–50' (PhD thesis, Edinburgh University, 2002). See also R.A. Bensen, 'South-west Fife and the Scottish Revolution: The Presbytery of Dunfermline, 1633–52' (M.Litt thesis, Edinburgh, 1978).

Covenanting regime; Edinburgh had been persuaded to embrace change and found it came with a heavy price, but did anyone in Caithness care, or even notice, that it had occurred?

It is Edinburgh's distinctive experience as a capital city that warrants attention here. The town council's decision to build a parliament house, incorporating space for the central courts, symbolised Edinburgh's status as a capital—both as an active participator within the Scottish political community, as well as a meeting point for nobles, gentry, ministers and lawyers from all over the country. During the 1500s, Edinburgh had increasingly asserted itself as the main centre for royal government; after the reformation, this situation was confirmed when the new church more or less adopted Edinburgh as its home. From 1560 until the 1590s, Edinburgh was the usual venue for biannual or annual general assemblies. After 1595, however, there was not another assembly in Edinburgh until 1617, when the king attended in person. There would only be two more—Perth and Glasgow—before ministers convened again in Edinburgh for the 1639 assembly.³⁵ The estates met more regularly than the assembly did after 1603, mainly because James did not see the secular body as inherently inimical to his authority. All of the eight parliaments and five conventions which actually carried out any business between 1604 and 1633 convened in Edinburgh.³⁶

It is evident that even before 1603, a relative decline in parliaments, conventions and particularly general assemblies had set in, but the trend intensified in the later years of James's reign. In 1621, James VI tried to hold a convention, rather than call a full parliament, in the hope that it would be more amenable to granting him a subsidy (and less determined to debate the Perth Articles). This was flatly rejected in 1621, as was James's attempt to circumvent burghal resistance by getting Edinburgh to make decisions alone, without consulting the convention of royal burghs.³⁷ Charles continued this theme. The next two meetings were conventions, not par-

³⁵ *BUK*, iii, appendix, pp. xlvii–xlviii.

³⁶ This discounts continuations, where nothing was done (the convention of 1630 sat amid a number of continuations) and the convention of 1621, which preceded the parliament of the same year. The 1630 convention was held at Holyrood, which was technically in the Canongate but has been included as Edinburgh here. *APS*, iii, iv.

³⁷ *APS*, iii, 590.

liaments, and after 1633 there were fears that if the king could get a subsidy for an indefinite period, he could dispense with the estates altogether.³⁸ If parliament was the political nation's 'comprehensive point of contact', then Edinburgh, as the home of parliament, possessed a unique relationship with the wider political nation.³⁹ The possibility that conventions and parliaments might become unnecessary posed a threat to the capital's sense of its own distinctive identity.

Edinburgh's importance as a symbol of royal government was never seriously in question, even if Charles's expectations of how royal capitals behaved was rather different from the town council's. In 1638, possession of Edinburgh became absolutely essential for the king's opponents, not only because it gave them access to wealthy merchants and lawyers, but also because it helped to legitimise resistance. Both the Covenanters and the king's men recognised Edinburgh's strategic importance. Had Charles I's army entered Scotland in the summer of 1639, or in 1640, when the king also held Edinburgh Castle, he would have been in a good position to reclaim his capital. The re-establishment of royal government in Edinburgh would have isolated the Covenanters, cut them off from supply and made it that much easier to brand them as a rebel faction. This scenario would have been a political disaster for the town council, who had been persuaded to support the supplication campaign partly on the promise of protection against their understandably unhappy monarch. The defence of Edinburgh therefore became a political and military imperative during the period known as the Bishops' Wars, placing the capital at the heart of efforts to raise men, money and supply. The security of the regime, and Edinburgh's huge political and financial investment in it, was reinforced by success—in August 1641, the king personally ratified the religious and constitutional settlement that had been sustained, against his wishes, since 1638.

³⁸ Row, *Historie*, 365–66. NLS, Wod.Qu.CV, ff.102–4. The English political community was having the same debate, A. Hughes, *Causes of the English Civil War* (2nd edn., Basingstoke, 1998), 28–9. The 'struggle for power' between monarchs and representative assemblies has a European dimension, H.G. Koenigsberger, 'Dominium Regale or Dominium Politicum et Regale: Monarchies and Parliaments in Early Modern Europe' in *Politicians and Virtuosi: Essays on Early Modern History* (London, 1986), 3–23.

³⁹ K.M. Brown, 'Scottish Identity in the Seventeenth Century', in B. Bradshaw and P. Roberts (eds), *British Consciousness and Identity: The Making of Britain, 1533–1707* (Cambridge, 1998), 250.

The remarkable events which took place in Scotland between 1637 and 1641 have often been seen only as a precursor to the remarkable events which took place in England thereafter. The latter has been described as 'the most docile' of Charles I's kingdoms, where a 'groundswell of opposition' was conspicuous by its absence during the 1630s. This has led to the suspicion that the Scots started it all with their tiresome paranoias,⁴⁰ thereby conveniently stepping over the real problem of Charles acting self-consciously as king of Britain, not king of Scotland and of England and of Ireland. Charles was not lacking in vision, it just happened to be a narrow one that took no account of regional variations. This was a problem throughout the Stuart domains, not simply a peculiarity of Anglo-Scottish relations after 1603. As Conrad Russell has pointed out, Charles also wanted the merchant adventurers in the Netherlands to adopt a set form of prayer,⁴¹ exemplifying the point that although there was a distinctively Scottish context to the British civil wars, there were clearly issues with Charles's regime which a Scotsman, an Englishman or an Irishman could identify with.

The irritation experienced in communities throughout Britain during the 1630s hints at why James's reputation as a successful ruler of multiple kingdoms was not shared by his son. It was at least partly because his style of governing acknowledged some autonomy in local affairs. For the 'pygmy' uncomfortably sharing a bed with the 'Leviathan',⁴² the issue of autonomy became acute when a centralising monarchy, in its search for a uniform model of church and government, naturally favoured that which already existed in the larger, more powerful entity. In a sovereign kingdom with its own state apparatus, this was not only very annoying, but also politically destabilising, because the fact of the king's residence elsewhere meant that two, potentially contradictory, political spheres were in operation. At the same time, government itself was becoming better organ-

⁴⁰ M. Kishlansky, *A Monarchy Transformed: Britain 1603–1714* (London, 1996), 137. See also Conrad Russell's view of the peaceful English kingdom, Russell, *British Monarchies*, 1–2, 27. Kevin Sharpe has modified this view by seeing the Bishops' Wars as the occasion to express dissent against Charles's regime, K. Sharpe, *The Personal Rule of Charles I* (New Haven and London, 1992), p. xviii.

⁴¹ Russell, *British Monarchies*, 37.

⁴² M. Greengrass (ed.), 'Introduction: conquest and coalescence' in *Conquest and Coalescence: The Shaping of the State in Early Modern Europe* (London and New York, 1991), 4–6.

ised and more institutionalised, increasing its capacity to operate without direct reference to the king.⁴³ This made Scotland highly resistant to becoming one of 'London's provinces' after 1603,⁴⁴ and, in effect, meant that Charles had to compete with his own administration for *de facto* control of Scotland.

The Covenanting solution to this problem—the removal of the monarch as a dynamic influence either on the operation of government bureaucracy or the personnel filling its offices—was a particularly appealing prospect for Edinburgh, which needed the organs of government and the judiciary, not the king himself, in residence. While Charles retained the desire and the means to challenge this arrangement through his position as king of England, however, it could not be a long-term solution. Nor was it entirely clear that what had most irritated Scots about Stuart government was *peculiar* to Stuart government. As Braddick's work has revealed, the expansion of the state in seventeenth-century Europe was at its most aggressive and pervasive over taxation.⁴⁵ The strains of war forced the Covenanting regime to implement regular taxation in all but name after 1645 and to overhaul an antiquated assessment system that had greatly undervalued landed wealth. These inter-related issues had been vigorously resisted before 1638, prompting James and Charles to squeeze the burghal estate, who were taxed separately from landholders, in a bid to raise revenue without upsetting the political elite. The drive to reform taxation during the 1640s was matched by equally vigorous campaigns to enforce religious conformity and harmonise local structures of government. For towns like Aberdeen, outside the Covenanting heartlands of Edinburgh, Lothian, Fife and the south-west, it must have seemed that one centralising, intrusive regime had simply been replaced by another. The only difference, perhaps, was that Edinburgh's relative proximity made governmental demands very much harder to ignore than faraway London's.

⁴³ Braddick's emphasis on how office 'conferred legal validity on administrative action' and enabled government 'through, rather than by, the monarch' informs this paragraph. M.J. Braddick, *State Formation in Early Modern England, c.1550–1700* (Cambridge, 2000), 358–61, [quotation, 420]. See also Goodare, *Government*, 239.

⁴⁴ Braddick, *State Formation*, 21, 24.

⁴⁵ M. Braddick, *Parliamentary Taxation in Seventeenth-Century England: Local Administration and Response* (Royal Historical Society, 1994), 13.

By 1641, the Scottish Covenanters had rewritten the ‘absolutist manifesto’⁴⁶ set out by James VI over fifty years earlier and reversed a Europe-wide trend towards the subordination of constitutional assemblies to autocratic kings.⁴⁷ Arguably one of the more radical aspects of ‘oligarchic centralism’⁴⁸ was its ability to give practical expression to the political ambitions of the lesser magistrates in its widest sense. A myriad of committees needed the manpower and expertise which lairds and burgesses could provide, bringing Lynch’s ‘middling sort’ into government in a meaningful way for the first time.⁴⁹ This was an important development, but any potentially revolutionary implications for Scottish politics and society were mitigated by the probability that very few lairds and burgesses were at the heart of the decision-making process. Chapter Seven discusses the role of Edinburgh’s political elite in the Covenanting movement and, while there were clearly opportunities for greater involvement in government, only a very few merchant burgesses became significant players in national politics during the 1640s. Edinburgh as a corporate entity was probably not any more interested in high-level decision-making than it had been under the royal regime. Instead, Edinburgh ensured that its heightened political profile, under a regime that desperately needed its money and financial expertise, was used to protect the burgh’s economic interests. Throughout the 1640s, debate within and beyond the town council chamber would revolve around whether the provost and magistrates were fulfilling this function.⁵⁰

Edinburgh had its local concerns, but it remained a community of national and supra-national importance. More work needs to be carried out on the role of the capital’s merchants in establishing links with London puritans and parliamentarians, a relationship hinted at

⁴⁶ Goodare, ‘Parliament and society’, 448.

⁴⁷ A.I. Macinnes, *Charles I and the Making of the Covenanting Movement* (Edinburgh, 1991), 183.

⁴⁸ A.I. Macinnes, ‘The Scottish Constitution, 1638–51: The Rise and Fall of Oligarchic Centralism’, in Morrill (ed.), *Scottish National Covenant*, 106–7.

⁴⁹ J.R. Young, *The Scottish Parliament 1639–61: A Political and Constitutional analysis* (Edinburgh, 1996). M. Lynch, *Scotland: A New History* (Edinburgh, 1991), 181–83, 252–56. For the English context, see J. Barry and C. Brooks (eds), *The Middling Sort of People* (Basingstoke, 1994).

⁵⁰ This is in keeping with John Morrill’s influential work on regional politics, *The Revolt in the Provinces: The People of England and the Tragedies of War, 1630–48* (2nd edn., London, 1999), 24–5.

in the personnel of the committee for Scots' affairs sitting at Goldsmith's Hall.⁵¹ This can be taken one stage further, as the complementary aspects of Scottish and English interests in Ireland were also reflected in this committee.⁵² The ratification of the Solemn League and Covenant and the creation of the committee for both kingdoms was the British solution to a problem first expressed by Scotsmen on the streets of Edinburgh on 23 July 1637: how could a sovereign godly nation, with the purest kirk in Christendom, be protected from the corruptions of a bigger, richer, more powerful sister-kingdom? As the Scots discovered between 1637 and 1651, there were no easy or entirely palatable solutions to this conundrum.⁵³ What follows is an account of the intricacy and intensity of the capital's political and religious world. Edinburgh may not be representative of anywhere except itself, but the scope of its influence in so many areas of Scottish life means that 'the example of Ed[inbu]r[gh]'⁵⁴ merits investigation for its own sake.

⁵¹ PRO, Order Book of the Committee for Scots' Affairs, SP23/1A.

⁵² PRO, State Papers, Domestic (Supplementary), SP46/106, ff.90–128.

⁵³ For a discussion of the development of a British identity, see K.M. Brown, 'Scottish Identity in the Seventeenth Century' in Bradshaw and Roberts (eds), *British Consciousness*. For an overview of the British dimension during the 1640s, see J. Morrill, 'The National Covenant in its British Context' in Morrill (ed.), *Scottish National Covenant*, 1–31. Goodare, 'Scotland's parliament', 26, 27–8.

⁵⁴ *Stirling's Register*, ii, 800. Brown and Mann (eds), 'Introduction', 38.

PART ONE

THE URBAN COMMUNITY

CHAPTER ONE

THE BURGH AND ITS GOVERNMENT

Oligarchic Government

In December 1621 a merchant in the burgh of Edinburgh was taken before the town council and warded because the dean of guild claimed he had ‘spoken irreverentlie of the counsall’.¹ His words were not recorded, but the incident is still noteworthy. The town council took criticism seriously, and enthusiastically discouraged anyone from voicing unfavourable opinions by employing strict censures against those who were caught doing so. Such instances were rare in Edinburgh and often linked to wider religious and political concerns but, as another case in 1627 reveals, the council’s worries focused on the perception that their ‘authority’ was under attack.² While consensus, not debate or dispute, informed early modern attitudes on good government,³ these incidents also reflected an acute awareness that those who governed came from an exclusive social group, unrepresentative of the bulk of the urban population.

Edinburgh’s population was about 25,000 in this period, but only around 6–8,000 were members of families whose heads were burgesses, originally those who had held a specified amount of land within the jurisdiction of the burgh and were consequently able to trade there.⁴ This essential distinction enabled an individual to become a full participant in urban life. He was given exclusive trading privileges, which could be further augmented by costly admission to the merchant

¹ *Edin Recs 1604–26*, 229.

² Examples from 1621 and 1624 reflect religious tensions in the burgh which are discussed in Chapter Five. Examples from 1648 were probably linked to the town council’s controversial support for the Engagement, discussed in Chapter Seven. *Edin Recs 1604–26*, 229, 253. *Edin Recs 1626–41*, 22. *Edin Recs 1642–55*, 152, 153, 154–56. ECA, Town Council Minutes, SL1/16, f.274.

³ C. Patterson, ‘Conflict Resolution and Patronage in Provincial Towns, 1590–1640’ in *Journal of British Studies*, xxxvii (1998), 3–5.

⁴ J.K. McMillan, ‘A Study of the Edinburgh Burgess Community and its Economic Activities, 1600–80’ (PhD thesis, Edinburgh, 1984), 33–35. Ewan, *Townlife*, 92.

guild. In theory, he was entitled to attend burgh head courts, became liable for taxation and could join the town council. In practice, the pool of personnel for council service was very much smaller. Taxation records and burgess rolls reveal that lawyers, ministers, an expanding rentier class and even some of the landed gentry were playing a significant part in burgh life, but had no direct say in how it was run.⁵ Despite historical precedents for the election of magistrates by the burgess community,⁶ Edinburgh, by at least the mid-sixteenth century, was being ruled by a council which had been elected only by its predecessor. If the standard definition of oligarchy is government 'by a small group of persons',⁷ then in these simplistic terms, seventeenth-century Edinburgh was certainly governed by an oligarchy.

Each year around Michaelmas, the outgoing council would convene to select its successor. In a process which usually took up the last week of September and the first week of October, leets were drawn up from which the provost, four bailies, a treasurer and a dean of guild were elected. All these office-holders had to be merchant burgesses with previous council experience, and any craftsman nominated to an office was expected to suspend practice of his craft during his tenure.⁸ Office-holders had time-consuming roles, which although socially prestigious, could prove politically contentious and financially ruinous. As the symbolic father of his community, the provost also took the brunt of popular disapprobation, as both Sir John Hay and Archibald Tod discovered in the course of their careers.⁹ Treasurers had begun to appear in urban centres around the fourteenth century to manage the burgh's income, its 'common good',¹⁰

⁵ The most useful source for studying Edinburgh's population is the Annuity Tax. It assessed every household in Edinburgh for a contribution towards clerical stipends, but it ran into serious problems, discussed in Chapter Two.

⁶ Ewan, *Townlife*, 55.

⁷ *The Concise Oxford Dictionary* (Oxford, 1976), 763.

⁸ *Ancient Laws and Customs of the Burghs of Scotland*, ed. C. Innes (2 vols., Edinburgh, 1868), i, 6, 34, 54, 81. This was in accordance with an act of 1469, which stipulated that the outgoing council should elect a successor annually. An act of 1535 stated that office-holders must be 'substantious' residents of the burgh, thereby implying that rural landholders should not take senior council positions, *APS*, ii, 95, 349. See n. 19.

⁹ Sir John Hay was nominated as provost by the king in September 1637 and was associated with the Prayer Book. Archibald Tod was physically attacked in May 1647 for supporting the Engagement.

¹⁰ Ewan, *Townlife*, 49.

and, as will be discussed below, were vulnerable to the increasing inability of the common good to match expenditure. As enforcers of the burgh's laws, the bailies held their own court in addition to regular council meetings. They considered trade disputes, set market prices, witnessed and adjudicated on property transactions, passed civil sentences on wrongdoers apprehended by the session, and held criminal trials. The bailies could also pass sentences of banishment or execution, and collect fines and escheats, in accord with the 1482 grant of 'the office of Sheriff within the burgh for ever'.¹¹ On top of this, the bailies were responsible for collecting taxes.¹²

Assisting the officeholders was an ordinary council made up of another eighteen representatives of Edinburgh's burgess community. After the decret-arbitral of June 1583, which formally admitted craftsmen to the exclusive merchant guild and expanded their limited representation on the council, ten merchants, six deacons from the incorporated crafts and two other craftsmen were ordained as members of the town council. Office-holders were automatically given a seat on the council the following year, while three new merchants and two new craftsmen were also included.¹³ In addition, eight extraordinary deacons were nominated, who were convened only when issues relating to the common good were being discussed and when the assent of the full council was required. A penalty of 6s. was imposed for non-attendance at the regular council meetings, held at 10am every Wednesday and Friday in the tolbooth. No exceptions were to be made for those busy in Leith.¹⁴

By the second quarter of the seventeenth century, the rules dictating council membership were strictly enforced. Office-holders were almost exclusively merchants in this period and most, if not all, councillors were burgesses (see below).¹⁵ Significantly, this included the

¹¹ *Inventory of the Records and of Particular Charters and Documents in the Charter-House of the City of Edinburgh* (Edinburgh, 1894), no. 36.

¹² Ewan, *Townlife*, 46–7. ECA, Burgh Register of Decrees, xi. NAS, Burgh of Edinburgh Register of Deeds, B22/8/31. For referrals from the kirk sessions, see ECA, Black Books, i. ECA, Bailies' Accounts, 1564–1689.

¹³ J.D. Marwick, *The Edinburgh Guilds and Crafts* (SBRS, Edinburgh, 1909), 127–29, 164. W. Angus, 'The Incorporated Trade of the Skinners of Edinburgh, with Extracts from their Minutes, 1549–1603' in *BOEC*, vi (1913), 12–14, 23. Lynch, *Edinburgh*, 5, 15. ECA, Minutes, SL1/14, f.488.

¹⁴ ECA, SL1/14, f.162.

¹⁵ Appendix, Table 1.

provost; for much of the second half of the sixteenth century Edinburgh's provost had more often than not been a royal nominee.¹⁶ The infamous riot of 17 December 1596, which had allegedly threatened the liberty of the king himself, had intensified the perceived need for greater Crown involvement in Edinburgh's affairs.¹⁷ From 1598 until 1607, the provost of Edinburgh was a nobleman, Alexander Seton, later earl of Dunfermline and lord chancellor, who had to be made a burghess and guild member of Edinburgh to qualify him for the post.¹⁸ In 1608 the office passed to Sir John Arnot of Birswick, a former Edinburgh merchant who had been provost in the 1580s, but was now a privy councillor and treasurer depute.¹⁹ After his death in 1615, Edinburgh elected only merchant burghesses as its provosts, as the decret-arbitral had stipulated. The only exception was former town clerk, then clerk register, John Hay, in 1637. He was a burghess but not a merchant.

Royal interference in the capital's election procedures continued throughout the first half of the seventeenth century, but this did not make the town council mere pawns of central government—far from it. The town council did act with the 'authority of the state' behind it, if the Scottish 'state' is broadly understood to be the coordinated agencies of king, privy council, the central courts and the estates, exercising recognised political and legal power, by force if necessary.²⁰ This definition does not deny local autonomy, nor the fact that legitimisation of the town council's powers also resided partly in the community they governed. As a royal burgh, Edinburgh possessed wide-ranging privileges, bestowed by successive monarchs and endorsed by parliament, that gave it a relative level of independence.

¹⁶ Lynch, *Edinburgh*, 15.

¹⁷ Lynch, *Edinburgh*, 15. *Edin Recs 1589–1603*, 200, 204.

¹⁸ As Lord Fyvie and Urquhart, lord president of the court of session, provost 1598–1604. As earl of Dunfermline and lord chancellor, provost 1604–1607. *Edin Recs 1589–1604*, 236, 274, 294, 313. *Edin Recs 1604–26*, 7, 15, 23, 33. *RPCS*, 1st ser., vii, 375. *Scots Peerage*, iii, 369–71.

¹⁹ Arnot's election preceded a parliamentary act of 1609, which stated that provosts and magistrates of burghs should not be noblemen, but merchant burghesses only. This may have been in response to a number of disputed burgh elections in the early 1600s involving local landholders. *APS*, iv, 435. *RPCS*, 1st ser., Index, Burgh. M. Wood, *Lord Provosts of Edinburgh* (Edinburgh, 1932), 30. Noblemen could prove difficult to dislodge from provostships, for example, at Perth in 1613, *CRB 1597–1614*, 411–12.

²⁰ Goodare, *Government*, 203. Braddick, *State Formation*, 9–10, 15, 17–19.

These privileges would have been a practical and political nightmare to retract, even if such a threat was occasionally dangled before the town when it misbehaved. The need for local experts to run local affairs ensured that there were limits both on how much meddling the council would put up with, and on the extent to which even the most loyal Edinburgh council would prioritise the interests of government ahead of the locality. Even when both James and Charles were successful in getting loyalists into the provostship, the rest of the council, and more importantly, the influential position of bailie, usually remained out of royal reach throughout this period.²¹

Craft membership of the council was carefully controlled by the merchant elite to ensure that the dignity of office was not tarnished by the membership of anyone deemed to be of 'rude occupatioun'.²² In reality, the distinction between merchants and craftsmen had never been absolute. A 'craft aristocracy' had appeared in Edinburgh, as in other late medieval European towns, who were employers and traders rather than manufacturers.²³ Doubt has been cast on the notion that Scottish merchant guilds completely excluded craftsmen. Edinburgh's guild may have intended itself to be 'an association of the merchant elite', but as craftsmen came to be engaged in mercantile activity too, the real division must have increasingly been that between burgesses and non-burgesses.²⁴ It is important not to oversimplify—incorporated crafts were clearly of a higher status than unincorporated ones.²⁵ They emulated the merchant guild, preserved their privileges with ferocious vigour, provided financial support for

²¹ These issues are fully explored in Chapters Four and Five. The exception was 1648, when a radical faction of Covenanters cleared the council of former Engagers, but this was a remarkable circumstance. For a suggestion that town councils acted as government administrators, see Goodare, *Government*, 218.

²² Marwick, *Guilds and Crafts*, 165.

²³ Lynch, 'Introduction' in *Early Modern Town*, 9. D. Nicholas, *The Later Medieval City, 1300–1500* (Harlow, 1997), 185–87.

²⁴ M. Lynch, 'Whatever Happened to the Medieval Burgh?' in *Scottish Economic and History Review*, iv (1984), 12–13. Ewan, *Townlife*, 58. S.H. Rigby and E. Ewan, 'Government, Power and Authority 1300–1540' in *The Cambridge Urban History of Britain: Volume I, 600–1540*, ed. D.M. Palliser (Cambridge, 2000), 295.

²⁵ Edinburgh had fourteen incorporated crafts, but only about six were represented on the council. Which crafts were incorporated varied from burgh to burgh. Lynch, 'Introduction' in *Early Modern Town*, 13. Ewan, *Townlife*, 55–60. ECA, SL1/13, f.76.

their members and maintained a rigid hierarchy. In the summer of 1626, in response to the possible threat of foreign invasion, Edinburgh town council divided the townsmen into ten armed companies. The young craftsmen complained that they should have an ensign and colours 'as the youth of the merchantis had', refused to disband when the magistrates ordered them to do so, and apparently spent several nights roaming the streets of Edinburgh looking for people to fight with. This might primarily be an example of the inevitable consequences of letting young men play with 'lang wapponis', but it also indicates a level of self-conscious group identification.²⁶ Nonetheless, the terms merchant and craftsman should not obscure more subtle social fault lines, between those possessing the wealth and connections necessary to participation in political life, and the vast majority without them. The unifying principle at the top of the social ladder was the maintenance of the burgh as 'a fortress of economic privilege',²⁷ which would in turn maintain the political hegemony of those specifically involved in the business of selling goods, regardless of what their occupational designation happened to be.

The Social Profile of Town Councillors

Political power in Edinburgh remained the preserve of a very exclusive group of people throughout this period. The 1583 decret-arbitral had allowed for wider social representation on the council but the influential figures were, more than ever, the representatives of Edinburgh's most wealthy, well-connected families. Although Helen Dingwall hinted that 'lesser men' could also enter the council chamber, this statement referred to their wealth, not their social status. Connections were more significant than cash, and while James Brown has rightly indicated that wealth and politics were inextricably linked,²⁸ the right social background was an imperative. Between 1616 and

²⁶ NLS, Wod.Qu.IX, ff.231r-32r.

²⁷ Lynch, *Edinburgh*, 14, 17-18, 49, 53. This view has been endorsed by Helen Dingwall, 'The Importance of Social Factors', 18, 22.

²⁸ Dingwall, 'The Importance of Social Factors', 18, 23. Brown, 'Edinburgh Merchant Elite', 38, 40. McMillan, 'Edinburgh Burgess Community', 141, 154. Lynch, *Edinburgh*, 16.

1653, town councillors were almost exclusively burgesses and over 60 percent of them were also members of the merchant guild. Significantly, there was no discernable decline in the importance of burgess-ship or guild membership during the 1640s. Far from the status of the guild being eroded during the seventeenth-century,²⁹ its importance for the politically ambitious may actually have intensified. Guild membership amongst town councillors rose after 1638, while the numbers of councillors who had bought their way into the guild dropped.³⁰ There is no evidence here that the pressures of the 1640s allowed men of lesser social rank to push their way into the council chamber, although it was clearly something of a perennial worry. In 1647, councillors expressed concern that lower entry fees for burgesses had made the freedom of the town 'contemptable'.³¹

The way in which burgess-ship and guild membership had been acquired by a councillor also carried some weight. It might be thought that in a patriarchal society, the preferred means was inheritance from one's father, but the propensity for male lines to fail gave rise to a degree of flexibility and social diversity. Around one-third of all councillors inherited either their burgess-ship alone or burgess-ship and guild membership, but this means that the majority of councillors actually acquired one or both sets of privileges by some other means.³² In the absence of sons, the rights could be passed to a son-in-law when he married—provided the daughter was unquestionably 'ane clene virgine'!³³ Masters were able to confer burgess-ship and

²⁹ McMillan, 'Edinburgh Burgess Community', 39–43.

³⁰ Over 96 percent of council members were burgesses. Allowing for errors, this suggests non-burgesses were consistently barred from the council. Stewart, 'Politics and Religion', Tables 1.2, 1.3, pp. 17–18.

³¹ ECA, SL1/16, f.203. This concern predated the civil wars, *Edin Recs 1626–41*, 130.

³² On rare occasions, men were given these privileges by a special act of council, presumably for some service done to the town. In most cases, this was a means of honouring the politically influential, such as the six English parliamentary commissioners who arrived in Scotland in 1641. It was far less common for an Edinburgh inhabitant to be granted these privileges directly from the council. Stewart, 'Politics and Religion', Table 1.7e, p. 22.

³³ Marwick, *Guilds and Crafts*, 134. A council act of 1550 barred widows from passing on burgess-ship to a second husband, *Edin Recs 1528–57*, 150. Guild membership could be passed to a second husband in Dunfermline, but it is not clear if this was still happening in Edinburgh in the 17th century, *Gild Court Book of Dunfermline, 1433–1597*, ed. E.P.D. Torrie (SRS, 1986), p. xxiv.

guild membership on apprentices, even if they had a family of their own. The merchant and town councillor John Byres enabled his apprentice, John Liddell, to become a burgess and guild member in 1629, although Byres had both sons and daughters.³⁴ Over half the councillors sitting between 1616 and 1653 had acquired one or both of their privileges by these methods.

Marriage or apprenticeship was a means by which ambitious men, who might otherwise have been hampered by their background, could become significant political figures. James Roughead is a good example. He received his burgess-ship through his father but his guild membership was due to his wife, Janet Trotter. Only five years later he took a seat on the council. As there is no evidence that Roughead's father was a man of any particular consequence, his rapid advancement is more likely to have been due to his politically active father-in-law, John Trotter. Two of Trotter's sons also appeared in council, as did his former apprentice, William Trotter, who was probably a relative. Roughead went on to sit on the council 14 times during a long political career that seemed immune to regime change.³⁵ Likewise, apprenticeship enabled such influential figures as the goldsmith and dean of guild George Suittie, the merchant and bailie John Byres and the surgeon Andrew Scott to put a foot on the first few rungs of the political ladder.³⁶ This could suggest social fluidity amongst the elite, but only up to a point. If access to the burgh's privileges had become dependant purely on the ability to buy them, or the ability to inherit them, politically and socially influential families would have found themselves ruined by the unfortunate accident of failing to produce a son. This apparent flexibility actually masks the extent to which social exclusivity was concentrated in the hands of a few extended and inter-related families.

Social background was an even more crucial factor amongst that tiny band of politically pre-eminent individuals who are the subject of chapter three. The responsibilities of council service, and the fact that it took merchants away from their principle interest of making

³⁴ *Roll of Edinburgh Burgesses and Guild-Brethren, 1406–1700*, ed. C.B.B. Watson (SRS, Edinburgh, 1928), 308. J. Geddie, 'The Sculptured Stones of Edinburgh: The West-End and Dalry Groups', *BOEC*, ii (1909), 134–7.

³⁵ *Edinburgh Burgesses*, 428, 498–99.

³⁶ *Edinburgh Burgesses*, 90, 477, 438. See Chapter Three for more information about Byres and Suittie.

money, meant that most councillors did not have long careers. A total of 327 individuals sat on the council between 1616 and 1653, but nearly a third appeared only three times or less. At the other end of the spectrum, there were twenty individuals who sat on the town council ten times or more. These men made up an elite group whose long years of service at the highest levels put them at the heart of the decision-making process. All, as would be expected, were burgesses and guild members. Of the eighteen whose methods of entry can be pinpointed, fourteen inherited both privileges from their fathers, and another inherited his burgess-ship from his father and then married a guild member's daughter. It is hardly surprising to find that none of these men had purchased their privileges.³⁷

There is no doubt that Edinburgh's mid-seventeenth-century town council was made up of a socially exclusive body of people, whose influence was maintained and even entrenched during the politically turbulent 1640s—there was no sudden appearance of men whose backgrounds were radically different from those who had preceded them.³⁸ This seems to have been in keeping with the situation in English towns during the same period. Factions with different sets of interests, rather than different social backgrounds, took control of towns, depending on which army happened to be in the vicinity.³⁹ While the social integrity of the council throughout this period points to the remarkable stability of the organs of urban government, the council did not act alone. The development of a network of specialised committees during the early part of the seventeenth century provided new opportunities for a sector of Edinburgh society with little or no previous political history.

³⁷ McMillan, 'Edinburgh Burgess Community', 151. Stewart, 'Politics and Religion', Table 3.1, 57.

³⁸ The data supporting this claim can be found in Stewart, 'Politics and Religion', 17–24.

³⁹ A.M. Johnson, 'Politics in Chester during the Civil War and Interregnum 1640–62' in P. Clark and P. Slack (eds), *Crisis and Order in English Towns 1500–1700* (Frome and London, 1972), 204–17. I.A. Archer, 'Politics and Government 1540–1700' in *Cambridge Urban History*, ii, 252.

Two-tier Government

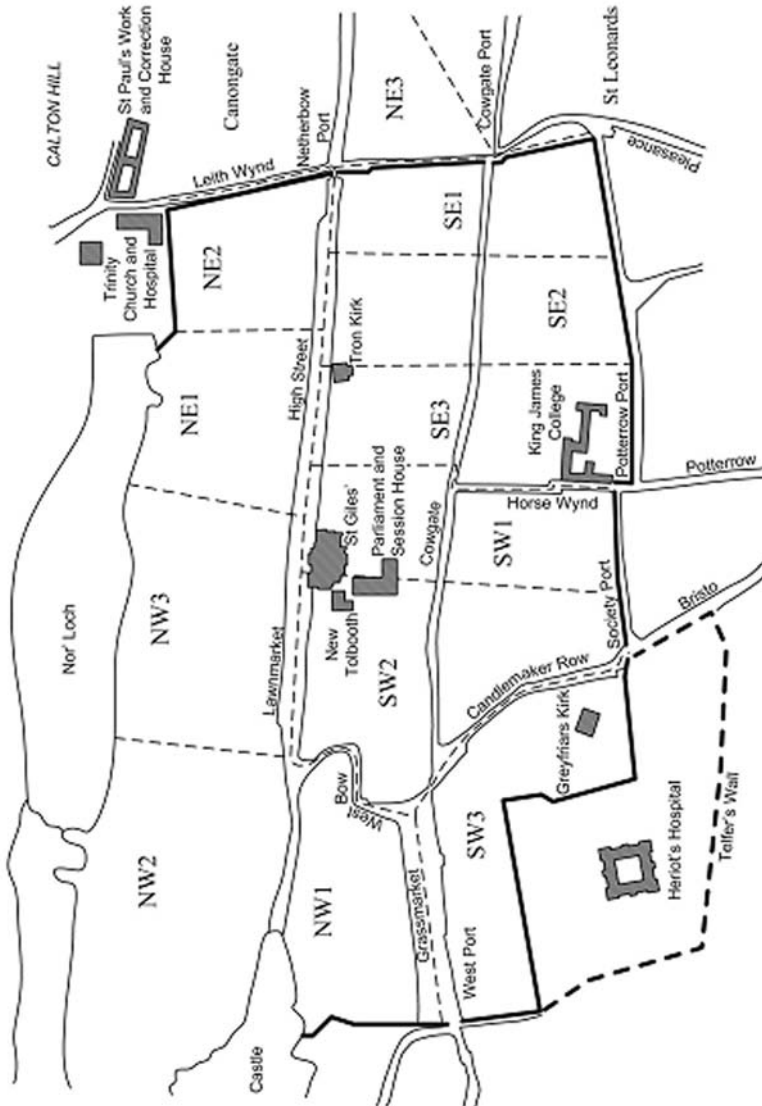
As the burgh population expanded during the later sixteenth and early seventeenth centuries so, too, did the responsibilities of local government. Finance, particularly in relation to poor relief, and social control were key growth areas. These were time-consuming, politically unrewarding tasks that councillors were increasingly unwilling to burden themselves with. In response, that bane of modern local government, the committee, was born. Although temporary committees had been frequently utilised by the council to address specific problems, this period appears to be distinguished by new levels of governmental specialisation, exercised through permanent subsidiary bodies. Five such committees came into being before 1638. A further corpus of council servants, the constables, were not really a committee as such, but they have been included because they were a new and permanent feature of burgh administration.

Some explanation of the functions of the six committees is required. By far the largest group of men were the constables. In 1609 an act for justices of the peace was passed by parliament. It placed officials in the localities who were theoretically the nominees of the Crown, not of local landowners. At least in towns, the potential for the development of a centrally-controlled administrative hierarchy in the localities was seriously undermined when town councils were given the right to act as justices within their own bounds.⁴⁰ Town councils thus appointed their own constables. They first appeared in Edinburgh in 1611, and were given extensive powers to apprehend 'vagabonds', 'ydill persounes', 'undesirables' and any other 'suspicious persons' who were perceived to be proliferating in urban environments.⁴¹ Initially, twenty-four men (six for each quarter of the burgh; see map 2) were elected half-yearly, but this was insufficient to police the expanding town. By 1616 constables were being elected annually. Their ranks had swelled to forty individuals, serving twelve subdivisions each headed by an officer.⁴² Their burdens were greatly increased

⁴⁰ The act was ratified, in detail, in 1617. *APS*, iv, 434–35, 539. The privy council organised the nomination of justices, *RPCS*, 1st ser., ix, 80. Articles were drawn up in 1613 that explicitly preserved the privileges of burghs from encroachments by justices, *RPCS*, 1st ser., ix, 525.

⁴¹ *Edin Recs 1604–26*, 78. *Edin Recs 1626–41*, 107.

⁴² *ECA*, SL1/12, f.484.



Map 2: The secular administration of Edinburgh. From *Atlas of Scottish History*, 456.

during the 1640s, when the constabulary became the organisational backbone of the burgh's attempts to combat plague, raise fighting men and defend the burgh against occupation.⁴³

Social control was also a key feature of the work of the correction house committee. Inaugurated with a year-long trial in June 1632,⁴⁴ the correction house was part of a wider programme to deal with the persistent problem of the indigent poor. Edinburgh was by no means an innovator in developing strategies to address this issue, and the scheme clearly borrowed from the types of indoor provision which had been experimented with in cities all across Europe.⁴⁵ In Edinburgh, the correction house was headed by sixteen masters, elected annually, who were charged with reforming those 'licentious' beings whose immorality threatened to bring 'the wrath and displeasure of God' upon the town. Its situation, within the bounds of St Paul's Work near Trinity College Church, made an explicit link between social discipline and gainful employment—the correction house complemented the drapery founded at St Paul's Workhouse as a means of dealing with 'maisterles persounes' who were 'leiving ydillie without any occupioun or craft'. The council's remit did not end there, however. Servants who disobeyed masters, children who were disrespectful of parents, 'lewd leivers', scolds and 'incorrigibil harlots' were apparently as much the enemies of the urban communities as the idle poor.⁴⁶ Consideration was also given to the enemy without. Able-bodied beggars 'frome all the pairtis of the cuntrey' and beyond, who might bring their 'lewd and unlawfull' ways into the community, were also targeted.⁴⁷ The correction house was consequently a single component of a much wider programme which sought to enforce a social and moral agenda on a fluid population,⁴⁸ and its masters must have faced an endless (and probably thankless) task.

⁴³ *Edin Recs* 1604–26, 77, 78, 282.

⁴⁴ *Edin Recs* 1626–41, 107.

⁴⁵ Stewart, 'Poor Relief in Edinburgh', 10–11.

⁴⁶ *Edin Recs* 1626–41, 107–9. ECA, SL1/14, f.565. M. Wood, 'St Paul's Work' in *BOEC*, xvii (1930), 55–64, 67–8.

⁴⁷ For example, *Edin Recs* 1604–26, 170, 242, 250.

⁴⁸ For an overview of Scottish poor relief, see J Goodare, 'Parliament and Society in Scotland, 1560–1603' (PhD Thesis, Edinburgh, 1989), ch. 8. R. Mitchison, *The Old Poor Law in Scotland: The Experience of Poverty, 1574–1845* (Edinburgh, 2000), ch. 1.

In its battle against moral backsliding, the town council was theoretically in alliance with the kirk session, but jurisdictional overlap between the civic and spiritual spheres could result in antagonism rather than cooperation.⁴⁹ Money could be a particular source of friction, for while the kirk session retained a vigorous sense of its own independence, the town council naturally kept a close eye on its financial activities. It is perhaps surprising, therefore, that the kirk council did not evolve into a management committee for kirk session funds. This suggests that while the session could present political headaches for the council, the commitment and expertise of session members remained valued assets. The kirk council, which was certainly in existence by at least 1595, seems to have focused entirely on the former ecclesiastical lands that had gradually come into the burgh's hands in the wake of reformation.⁵⁰ Unlike the other committees considered here, the kirk council had an inbuilt bias favouring merchants; all the other committees usually had equal numbers of merchants and craftsmen.⁵¹ It was supposed to meet once a week but rarely did so, again suggesting that its business was fairly limited.⁵²

The town council's close relationship with the merchant guild was embodied in the person of the dean of guild.⁵³ William I had granted the liberty of buying and selling goods within burghs around the end of the twelfth century, although a demand that practising craftsmen should be excluded from the guild during the reign of David I shows it was in existence much earlier.⁵⁴ The dean of guild's council evidently pre-dated 1583, when the decret-arbitral allowed the town council to nominate annually no more than three merchants

⁴⁹ Lynch, *Edinburgh*, 20. Goodare, *State and Society*, 172–73.

⁵⁰ *Edin Recs 1589–1603*, 127.

⁵¹ ECA, SL1/12, f.493. The kirk council of 1616–17 was typical in having seven merchants and three craftsmen as members. Other committees had equal numbers of merchants and craftsmen. ECA, SL1/12, ff.480, 491. The act establishing the constabulary stipulated that there should be equal numbers of merchants and craftsmen, but the need for personnel superseded this rule. *Edin Recs 1604–26*, 77. ECA, SL1/12, f.484.

⁵² The records of the kirk council have been labelled incorrectly as kirk session minutes. NAS, Edinburgh Kirk Council Book 1625–57, CH2/136/84, 21 Oct 1625, 23 Dec 1625, 30 Dec 1625, 20 Jan 1626. In my earlier work, I over-estimated the influence of the kirk council, Stewart, 'Politics and Religion', 14.

⁵³ Ewan, *Townlife*, 61. Ewan and Rigby, 'Government', 295.

⁵⁴ *Ancient Laws and Customs*, i, 46, 59.

and three craftsmen to assist him in his work. While it was the bailies who exercised jurisdiction over criminal offences in the burgh, the dean of guild possessed an independent remit in civil matters. As well as adjudicating in disputes relating to trade and building regulations, the dean of guild also oversaw the registration of new burgesses, guild members and apprentices, and the punishment of those who took on the privileges of the burgh illegally. He was allowed to raise money amongst guild members for both their more unfortunate brethren and the poor of the wider community, although the amounts of money handled by the dean of guild rarely exceeded about £2,500 *per annum* in the pre-civil war period. General responsibility for the fabric of the town's churches, including the provision of communion tickets, tables (or boards) and the sacramental elements, also fell to the dean of guild.⁵⁵

Financial affairs were handled by the audit and the extent committees. The huge task of verifying the town's accounts, which were recorded formally by the town treasurer, was tackled each year by a committee of eight merchants and eight craftsmen. During the 1620s and 1630s, the job took around six months to a year from the end of the treasurer's tenure of office, but the impact of war on the town's finances meant the process became more protracted as the 1640s progressed. Thomas Moodie's accounts were written up in the autumn of 1643, but the audit was not completed until May 1648. Extentors were elected only when the Crown or the Covenanted government demanded taxation from the burgh. Eight merchants and eight craftsmen were nominated when a tax was ordered to work out who paid tax and what proportion they should be liable for. Although not technically a permanent committee at the beginning of our period, they had virtually become so by the mid-1630s; it is telling that there were almost twice as many elections of extentors in the 1630s as in the 1620s. War with the king and attempts by the Covenanted regime to expand and regularise national taxation confused the picture in the 1640s, but the highly specialised role which the extentors fulfilled justifies their inclusion.⁵⁶

⁵⁵ Marwick, *Guilds and Crafts*, 144. Ewan, *Townlife*, 61–62. ECA, SL1/12, 480. ECA, Dean of Guild Accounts, SL144/3–4. *Edinburgh Burgesses*, 7. J. Campbell Irons, *The Law and Practice of the Dean of Guild Court* (Edinburgh, 1895), 19, 33.

⁵⁶ ECA, SL1/12, f.491; SL1/13, f.338, SL1/15, f.35. ECA, Town Treasurer's Accounts, vi, Account 1642–43.

It is apparent, by the wide range of activities which were undertaken by these six committees, that the town council relied on a large body of personnel to implement the decisions which were taken behind the closed doors of the tolbooth chamber. Between October 1616 and September 1653, 740 individuals sat on one of the committees listed above—more than double the number elected to the council in the same period. In all, this created a pool of 1,067 politically active individuals; this could mean that as much as one Edinburgh household in four, at some point in a three-decade period, took part in the burgh's administration. In the seventeenth century, the intrusiveness of urban government probably made it 'authoritarian', but its proliferating committees suggest it cannot be regarded as 'remote'.⁵⁷

Not all politically active persons were created equal, of course. It is clear from the functions undertaken by these committees that they were very much the subordinates of the town council, with little scope for independent action. Function also tended to dictate how closely council membership correlated with committee membership; in general, the committees that dealt with the town's revenues and required some level of financial expertise tended to exhibit a higher proportion of council infiltration than those committees associated more with issues of social control. A simple comparison of how many councillors sat on a given committee illustrates this point:

Table 1.1: *Town councillors sitting on committees 1616–37*

	Audit	Constables	Correction House	Extent	Guild	Kirk
Number of committee members	131	547	45	148	62	76
Number of councillors on committee	116	97	34	116	58	72
Councillors as % of committee membership	88.5	17.7	75.6	78.4	93.5	94.7

Edin Recs 1604–26, 1626–41, 1642–55. ECA, Minutes, vols xiii–xvii.

⁵⁷ It is likely that some households produced no politically active individuals when others produced several, while the flow of individuals in and out of Edinburgh probably meant that service was concentrated in particular social groups, but the figure is still noteworthy. Lynch, 'Introduction' in *Early Modern Town*, 28.

Table 1.2: *Town councillors sitting on committees 1638–53*

	Audit	Constables	Correction House	Extent	Guild	Kirk
Number of committee members	86	287	86	124	27	66
Number of councillors on committee	80	25	44	88	27	65
Councillors as % of committee membership	93.0	8.7	51.2	71.0	100	98.5

Edin Recs 1604–26, 1626–41, 1642–55. ECA, Minutes, vols xiii–xvii.

For most of the committees, their membership was almost completely dominated by town councillors in the period 1616–52, with this trend intensifying during the 1640s. This is particularly evident for the guild and kirk committees, which were almost entirely staffed by town councillors during the Covenanted era. It is not unreasonable to suppose that as the dean of guild was himself a town councillor, he might turn to those who had sat with him in the tolbooth chamber. As indicated above, the council's concerns about the status of burgesses and guild brethren during the 1640s may also have encouraged them to keep a closer eye on who was being granted the burgh's privileges. The kirk committee was almost completely staffed by town councillors in this period, which is not surprising given that they were dealing with property belonging to the town. Financial considerations also explain why the high proportion of councillors on the audit committee increased further after 1638. The difficulties of keeping track of the town's money was not helped by the hiatus in urban government caused by the plague outbreak of 1645.⁵⁸ As councillors had first-hand knowledge of the town's *ad hoc* procedures, and as they knew personally the individuals who had handled all the money, their experience of council service became an invaluable commodity.

Three of the committees did not follow this trend. The constabulary never boasted a high proportion of councillors, but during the 1640s the latter's reluctance to serve became even more marked. Constables probably found the constant round of day and night

⁵⁸ See the section below on burgh finance.

watches, organising wapinshaws (weapon-showings) and maintaining public order arduous enough at the best of times. In the 1640s, service could seriously damage health. These were the men who formed the backbone of the town's home guard, marshalling those who had not ended up in one of the Covenanting armies and leading the hapless attempts to barricade the town. Far more detrimental to their collective health was the plague outbreak. The constabulary were the front line against contagion and some of them died carrying out their work.⁵⁹ Councillors were understandably reluctant to act as constables, but it is also evident that constables rarely went on to become councillors. There was little political reward for the job, beyond the local prestige attached to holding a position of responsibility. In consequence, the constabulary seems to have operated in its own political cocoon, and although many only served once or twice, those who rose to become officers of their sector appeared year after year. John Fairlie was the exemplar of dedication, acting as the officer of south-east one for an unbroken run of twenty-two years, but there are numerous others whose careers lasted a decade or more. While the constabulary was not a favoured option for those born into relative privilege, those lower down the social scale may have found the responsibilities conferred upon them by their superiors brought them a certain standing within their own community.

Both the correction house committee and the extensors saw a decline in members from the town council; in the case of the former, the decline was in the order of 25 per cent. Part of this may be about the limits on the number of councillors available to participate in an expanding committee structure, with the audit, guild and kirk committees benefiting at the expense of less politically prestigious bodies. While councillors may have been enthusiastic about the new correction house and its ambitious programme of social reform during the 1630s, the reality of trying to run a loss-making institution in a time of war and plague was probably not as enticing. It was hardly luxurious accommodation at the best of times, but during the plague epidemic its sick and dying inmates, some of whom were pregnant, were virtually abandoned by the town's authorities.⁶⁰ The decline in the number of councillors on the extent committee

⁵⁹ See Chapter Two.

⁶⁰ ECA, Moses Bundle 191, no. 66.

was less pronounced. Again, the increased frequency of taxation in the 1640s, and the introduction of new methods which required new assessments, made the work of the extortors even more time-consuming and contentious than ever. By the later 1640s non-payment was a serious issue,⁶¹ and although no open objections to taxation were made, with the exception of the 1644 excise, it hardly seems likely that extortors were the most popular people in town. Councillors, already stretched in other areas of the administration, were perhaps less well-disposed to fulfilling this particular role.

In social terms, it is not surprising that the audit, guild and kirk committees, where councillors were heavily represented, had members who were almost exclusively burgesses. It is also likely that these committees attracted the social elite, who perhaps found such service a source of prestige, good contacts and useful information about the council's inner workings. On all three committees, the proportion of members who were also in the relatively exclusive merchant guild was significantly higher than the proportions of guild members found on the town council itself. On the correction house and extent committees, where councillors were a little less keen to serve, just over 90 percent of members possessed burgess-ships and, again, the merchant guild was strongly represented. Amongst the constabulary, the social profile was different. Although just over three-quarters were burgesses, only 40 percent were guild members.⁶² Considering the arduous nature of the job, there may have been difficulties in persuading people to take it on, and consequently the standard applied to other areas of urban government could not be maintained. There may also be a possibility that the town council was not averse to those without burgess status entering the constabulary. As indicated, the bulk of the urban population, and a growing proportion of it, were not burgesses. Constables were not decision-makers, they were foot-soldiers serving under the direction of the bailie of their particular quarter. Individuals of relatively high social standing prob-

⁶¹ ECA, *Edin Recs 1641–55*, 109, 114, 121, 129, 135, 140. ECA, SL1/16, ff.174, 187, 205.

⁶² While 62 percent of councillors were guild members, 70 percent of auditors, 82 percent of the dean of guild's council and 80 percent of the kirk council were guild members. Oddly, 82 percent of the correction house committee held guild membership, although the extortors, at 68 percent, were closer to the town council's social profile. Stewart, 'Politics and Religion', p. 18.

ably did not see any advantage in taking on the difficult work of the constable, while the council may have felt that giving a small proportion of the lower orders some responsibility and status could make it easier to control their social equivalents.

It was a surprise, then, to find that some prominent councillors did act as constables. Familiar names such as Edward Edgar, John Binnie, David McCall and the tailor Thomas Paterson appear in their lists. Interestingly, all four became constables *before* they were councillors. Were these the type of men who were expected to become councillors, but, rather like the admiral's son who scrubs the decks to show that he had got there on merit, they chose to do short stints as constables to prove their abilities? Was it a baptism by fire, with young men being thrown into one of the most arduous jobs in the council's remit in order to toughen them up for the council chamber? It was certainly one of the best ways to get to know the burgh, who the troublemakers were, what was needed to keep the streets free of crime, how to cope with the never-ending piles of human detritus. For many, a Christian sense of public duty may also have propelled them into this difficult work; Edgar, Binnie, McCall and Paterson joined a large number of constables who also appear as kirk session members.⁶³

It is apparent from this evidence that although a two-tier system of government operated in Edinburgh during the first half of the seventeenth century, the council was still discriminating in who it employed. Even the bulk of the constables were taken from the burgess community. The impression here is that the politically active were predominantly to be found amongst that sector of urban society who actually possessed the traditional right to stand as, and elect, councillors. While the council itself had become oligarchic, it seems that the committees did need to recruit personnel from outside the council. This was especially so during the 1640s, when the unfortunate effects of plague and war presumably reduced the pool of available volunteers. Throughout this period, however, the committees, and particularly the constabulary, did offer some measure of political participation for those outside elite circles.

⁶³ The data for kirk session members is imperfect, but a crude comparison of constables with known kirk session members suggests that at least a third of the constabulary also had experience of the session. For kirk session material, see Chapter Two, n. 11.

Informal Influence: the 'Neighbours' of Edinburgh

One other body of people associated with the council, but not directly controlled by it, needs to be considered. Government can operate only on the basis of consensus, and although this is the buzz-word of the modern media-obsessed politician, it has equal validity for early modern oligarchies. Not only did the town council have to consider the needs of the community it governed, but it had to be *seen* to be considering those needs. This was the purpose of an amorphous body of people known as the neighbours. By the seventeenth century, the traditional form of consultation with the wider burgh community, the burgh head court,⁶⁴ appears to have fallen into disuse. There are no references to such an event in the town council minutes or the treasurer's accounts. Instead of these meetings, the council seem to have specifically requested the presence of the 'neighbours' at some of their otherwise closed sessions.

The term 'neighbour' suggests a small, specific, identifiable group of people familiar with one another. This was a concept which fitted neatly with the traditional view of the burgh as an all-inclusive single community of burgesses, suggesting that the council was keen to perpetuate that idea even if the actual practice of consulting with all the town's burgesses was no longer relevant or practical. There does seem to have been a distinction between the 'nichtbors' and other terms denoting components of the Edinburgh population—it does not mean the same thing as the very specific term 'heretoris' (property owners) or the highly generalised one 'inhabitantis' (probably the heads of households).⁶⁵ 'Gude nichtburheid' embodied a particular concept of community which could be defined in the dean of guild's court; someone who left their foul effluence to putrefy in your close was not a good neighbour.⁶⁶ This is stating the obvious but it still underlines an important ideological component of burgh government. The council was pointedly creating a specific group of

⁶⁴ E. Ewan, 'The Community of the Burgh in the Fourteenth Century' in Lynch, *et al.* (eds), *Scottish Medieval Town*, 233. E.P. Dennison, 'Power to the People? The Myth of the Scottish Medieval Burgh Community' in S. Foster, A. MacInnes, R. MacInnes (eds), *Scottish Power Centres: From the Early Middle Ages to the Twentieth Century* (Glasgow, 1998), 103, 119.

⁶⁵ *Edin Recs 1642–55*, 94, 115.

⁶⁶ ECA, SL1/17, ff.87–8.

people who represented both those with a vested interest in council activity and an idealised community of harmonious cohabiters. The apogee of this idea was manifested during the hiatus in town council meetings caused by the English invasion. It was the neighbours, not the heritors, the inhabitants or even the councillors by another name, who carried on the necessary day-to-day functions of urban government.⁶⁷

Who were the neighbours? Town council records do not always tell us, but a random sample of twelve meetings, held between 1638 and 1652, when the neighbours were present and named, gives a rough idea of who these people were.⁶⁸ The neighbours appear to have been overwhelmingly the type of individual who had already been active in local government. Three-quarters of the 224 names listed had appeared either as councillors or committee members. In addition, approximately forty surnames were shared by known town councillors, suggesting family relationships. For example, John Foulis, an apothecary, was named in the council records as a neighbour in 1650. His father was George Foulis, master of the mint, and his brother was a sitting town councillor.⁶⁹ It may be the case that if the councillor himself was not available, or if the issue was a contentious one with which he did not wish to be directly associated, a brother, son, cousin or nephew might go along instead to find out what was happening. Whether these men arrived at council meetings because they received private invitations or because of a general public summons to the burgesses, it is apparent that the high proportion of former councillors or their families amongst the neighbours shows they were a body whose opinion was too important to ignore.

The provenance of men who do not appear to be linked to the council is interesting. The neighbours did not provide a forum for the legal profession to exert its influence on the political process in Edinburgh. Only one lawyer, George Mack, writer to the signet, is listed. There were lawyers who acted as assessors for the town council,

⁶⁷ *Edin Recs 1642-55*, 310-12.

⁶⁸ There were seventeen separate occasions when the council explicitly convened the neighbours, which works out at roughly one meeting every nine months. Stewart, 'Politics and Religion', Appendix, Table 3.

⁶⁹ *Edinburgh Burgesses*, 191-92.

and the treasurer's accounts have a section for their expenses, but they appear to have acted in a strictly legal capacity.⁷⁰ Nor was it an opportunity for the unincorporated crafts to express opinions. Of the 73 craftsmen listed as neighbours, only George Gellie, a cramer, Duncan Mann, bookseller and Alexander Lauder, maltman, were neither burgesses nor in an incorporated guild.⁷¹ Whoever these men were, they made up a small proportion of those convened to consult with the town council. Their influence, both numerically and as individuals, must have been almost insignificant in a body that was so heavily permeated by councillors and their families. A consultation with the neighbours was not, therefore, any real attempt by the council to seek out the opinion of the wider community.

Burgh Finance

One of the most sensitive areas of early modern local government was the collecting and spending of public revenues. There was no single town council account combining all parts of its fiscal remit into a total annual balance sheet. This was because individual office-holders and committees had their own income, distinct from that of the council and spent without recourse to it. Separate accounts were kept by the dean of guild, the bailies, the kirk treasurer, and the committees that oversaw the management of public works. Specific one-off projects such as the building of the parliament house, which might require town council money but were supposed to be funded from other sources, also produced their own accounts. Separate accounting did, in the main, have the advantage of transparency. Those who were giving their own money for the relief of the poor, for example, did not want to find out later that it had been used to pay for repairs to the tolbooth.

To attempt to combine all these accounts into a single balance sheet would be both difficult and potentially misleading, because frequent borrowing between accounts created overlaps. By using the town council's accounts only it is still possible to ascertain the general state of the town's finances during the early seventeenth century.

⁷⁰ ECA, Town Treasurer, iv–vii.

⁷¹ Twenty-one names did not have an occupational designation.

These revenues, known as the 'common good', were managed by the town treasurer and audited, in ideal circumstances, every year, although the process could take much longer. The common good was basically the income Edinburgh was entitled to as a royal burgh with privileges held directly from the Crown—rents from the burgh's lands, petty customs and duties from the town mills. Just as the king was expected to live of his own, so too, the town council was expected to meet its day-to-day costs from the common good. The council's perennial outgoings were comprised of the nominal pensions paid out to the provost, bailies, porters and other town officials, and the fees of the advocates and writers who assisted the council in its work. Other expenses included 'the money debursit upone executionis', paving the main streets, repairs to the mills, the college or the council house, and the never-ending work on the harbour at Leith. Extra expenses were permitted 'by precept of council' or 'by order of the provost and bailies'. They could range from the cost of a banquet for the playwright Ben Jonson in 1618, to the fee for copying the town's charters in 1628–29, to the purchase of official gifts.⁷²

A crude comparison of the charge and discharge (Figure 1.1), which equates roughly with income and outgoings,⁷³ reveals the expansion of the council's fiscal responsibilities during the first three decades of the seventeenth century. Apart from a short period during the 1620s, when the town council received extra funds known as the 'eik' from the imposition of parliamentary taxes,⁷⁴ the common good was almost permanently in arrears. Before the 1630s, this probably did not unduly worry the council. There was a modest level of borrowing to meet one-off expenses that the council thought important for the burgh's status—the purchase of the superiority of Leith in 1604 for £17,000 probably seemed like a good deal for a

⁷² ECA, Town Treasurer, iv, 595–8; v, 550–2; vi, 25.

⁷³ There are problems with correlating charge and discharge directly with income and outgoings, but a crude comparison between them reflects general trends, even if the actual numbers must be viewed with caution.

⁷⁴ During the 1620s, the town council were allowed to levy an eik on top of parliamentary taxes for the relief of the common good. It is likely that taxpayers knew this. As the tax burden rose in the 1630s, the eik remained static, thereby forming a very small proportion of tax revenue. During the 1640s, the tax burden was so big that eiks were not possible. L.A.M. Stewart, 'Parliamentary Taxation in Edinburgh, 1606–51' in J. Goodare and S. Adams (eds), *Seventeenth-Century Scotland* (forthcoming).

burgh that was absolutely dependant on its satellite port for its prosperity. King James's visit to his northern kingdom for the first time since 1603 resulted in an unprecedented level of expenditure by the town council. The king's banquet alone cost the burgh £6,333. A gift of 10,000 merks in 'ane gilt baissin' was also procured for James's entry to his northern capital, the cost of which was borne by borrowing 'upone proffit'.⁷⁵ This, at least, was an expense that would not be repeated until the 1630s. Of more long-term significance was the council's decision to buy out the monopoly on brewing ale and beer that had been granted to a cartel of Edinburgh merchants known as the Society. It had failed to make them any profit, presumably because of the difficulties of regulating a trade that operated on a small scale, often from the homes of widowed women. The Society required an initial outlay of over £40,000, and the cost of its upkeep probably prevented the town council from making any more profit than the merchants.⁷⁶

During the 1630s, Edinburgh's public finances came under increasing strain, as Figure 1.1 makes clear by a rise in the amounts of money passing through the town treasurer's hands. Two factors, discussed more fully in Chapter Four, were responsible for this. The frequency and volume of parliamentary taxation had been escalating since the late 1610s, but it was during the 1630s that they came to have a damaging effect on the public purse. Taxes were levied on the inhabitants of the burgh, but the town council was liable for making payments to the king's collector. As collection was an onerous and time-consuming business, the council resorted to borrowing the money on interest, with the expectation that their creditors would be repaid from the amounts collected in the burgh. There is a marked increase in the frequency and volume of town council borrowing from the mid-1630s (Figure 1.2). As well as borrowing from Edinburgh inhabitants, the town council also sought assistance from its own officials. In 1634, the large tax promised to Charles I in the previous year's parliament was partly met through loans from the trea-

⁷⁵ *Edin Recs 1604–26*, 159, 385.

⁷⁶ W.M. Bryce, 'The Fellowship and Society of Brewers of Ale and Beer in Edinburgh', *BOEC*, x (1918), 226–39. Lynch, *Scotland*, 176. ECA, Town Treasurer, iv, 826–7, 838–42. The 'Societie' was still running in the 1650s.

surer of George Heriot's trust and the kirk treasurer.⁷⁷ The problem was that interest repayments on these large loans exceeded the amounts that could be feasibly collected from the taxpayers, and the common good provided few means by which such expenses could be met.

The second factor was a large public building scheme. Edinburgh's chief secular structure, the new tolbooth, had been erected in the 1560s to replace the ancient and deteriorating old tolbooth standing on the High Street. By the early 1600s, the new tolbooth was bursting at the seams with privy councillors, town councillors, judges and lawyers, whose clients ranged from the country's leading nobles to the drunkards and scolds facing censure by the bailies. When conventions of the estates or the royal burghs were also sitting, it must have been utter chaos. The town council held discussions as early as March 1632 about the possibility of providing new accommodation for parliament and the court of session. A second building for the privy council and exchequer was also envisaged, but subsequently dropped. In a parallel of the modern Scottish parliament building, the estimates woefully undervalued the cost of project—the fine oak-beamed ceiling still in evidence today did not come cheap.

The following year, the parish church of St Giles' came under royal scrutiny when Charles came to the conclusion that the capital needed its own bishopric. Turning the cluttered St Giles' into a cathedral befitting the glory of God meant evicting its multiple congregations, who thus needed new churches, but the unpopularity of the cathedral manifested itself in the reluctance of Edinburgh inhabitants to stump up the money.⁷⁸ Edinburgh's building programme proved to be very expensive for the town council. Both schemes were originally intended to be paid for through public subscription, and significant sums were raised this way, but it was not enough. This meant yet more borrowing by the town council. Charles Hamilton, town treasurer for 1635–36, took a record of outstanding debts showing that fifteen individuals, plus the kirk treasurer and the

⁷⁷ ECA, Bailies' Accounts, 1564–1689, 1145–61. Heriot's Trust established an institution for the maintenance and education of poor boys. It opened its doors in 1658 and is now a fee-paying school.

⁷⁸ These schemes are discussed in more detail in Chapter Five.

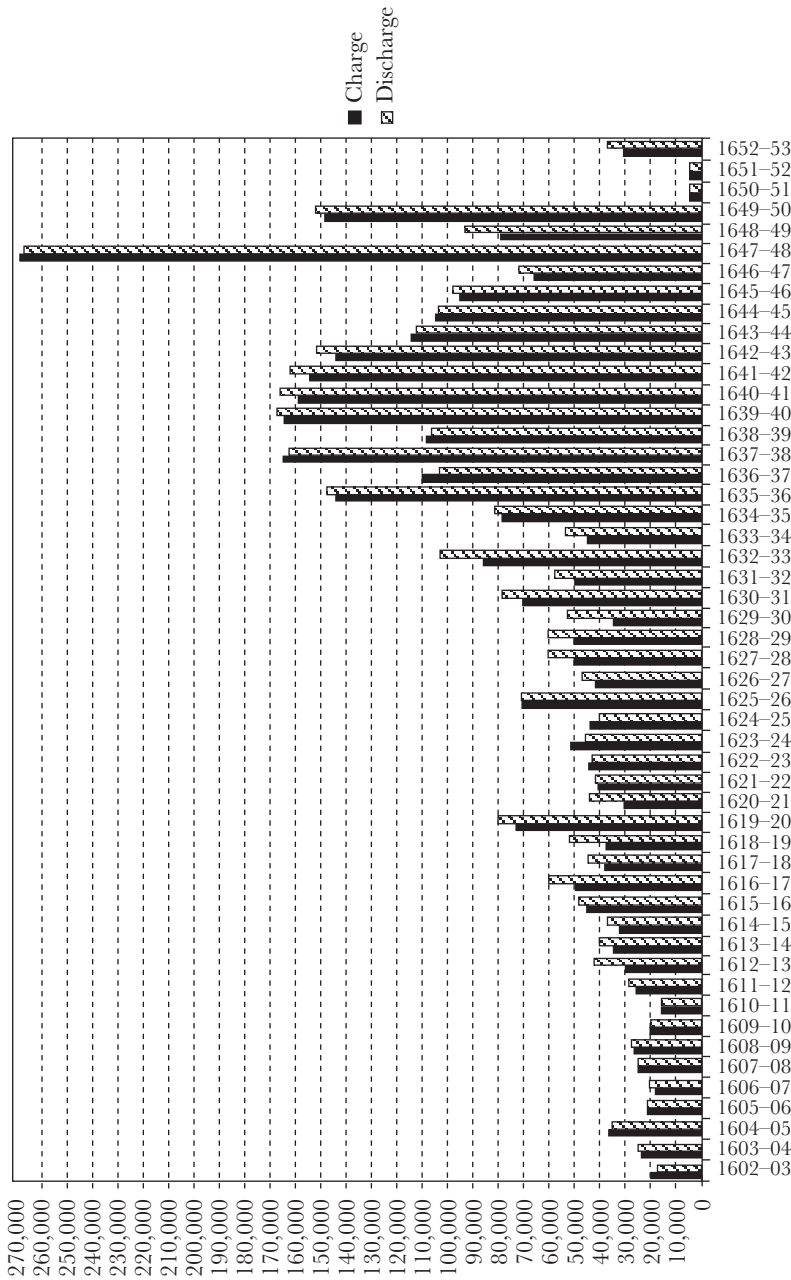


Figure 1.1: Town treasurer's charge and discharge, 1602-53 to nearest £500 Scots

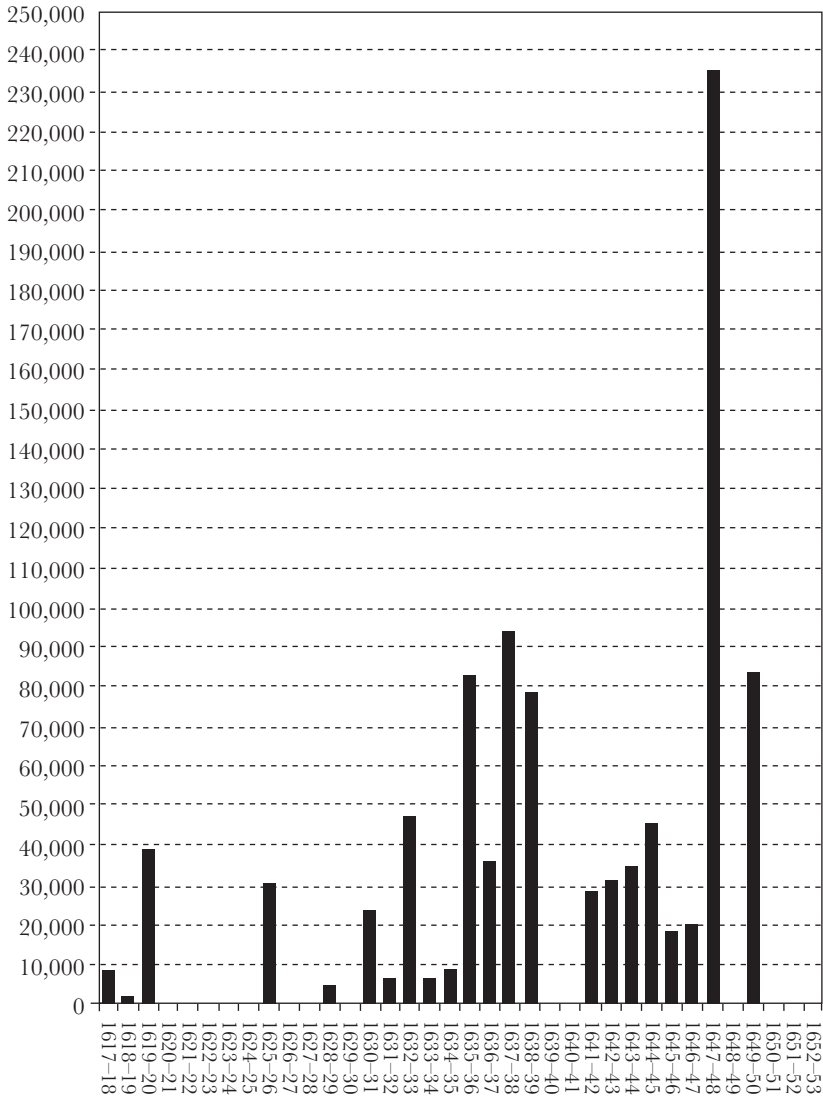


Figure 1.2: An Estimate of Borrowing, Town Treasurer, 1617–53 in £Scots

There are no records for the years 1639–40, 1640–41 and 1648–49. There was no official treasurer in 1650–51 and 1651–52.

These figures are taken from the town treasurer's account only, and do not include sums that the council alone may have handled.

Sources: ECA, Town Treasurer, vols. iv–vii. See also Edin Recs 1642–55, appendix.

trustees of the George Heriot legacy, were owed a total of £129,449.⁷⁹

By the time of the 1637 Prayer Book riots, the town council's finances were already in difficulty. It is striking that the town's traditional income, from customs, rents and other duties, had steadily declined as a proportion of the total charge, from about 78 percent in 1618–19 to just 18 percent in 1637–38. In that same year, the town council borrowed over £93,000 from lawyers, merchants and council officials, representing about 58 percent of council income.⁸⁰ Debts dating from the 1630s, coupled with the virtually static nature of the common good, meant that the council were ill-placed to cope with the financial burdens of the 1640s. The town council expressed their concerns in February 1639:

Forsameikle as the counsel being not only far superexpendit in thair affairs, whereby they are brought to pay great soumes of money, yeir-lies and termlic for the interese of their debts, bot also throw the occasioun and exegencie of the p[rese]nt stait of their affaires, they are forced to lay great burdein upone thair the[saur]er, for advancing such sowme of money as they stand in need of, which haill soumes of ane yeirlic rent nather cumeing in tymoslie nor being sufficient to defray the saide John Fleming, the present th[esaure]r, is fourced upone his awin privat audit to beir th[ere]upone inteire, which is to[o] great ane burdein to him to underly. And counsel considdering that it is not equitable that he sould both spend his tyme and paines as also to undergoe that burdein alone, therefore they pronull that what soumes he salbe fund to have disbursit in that maner . . . and to take such cours then that he sall not, in any extraordinarie way, be ane lossier at thir handis.⁸¹

The principle costs for the burgh during the early 1640s were probably occasioned by war, although the absence of accounts for 1639–40 and 1640–41 means it is not clear exactly how much was being spent on arms, ammunition, the fortifications at Leith and the measures employed to protect the town's inhabitants from bombardment by the castle in 1640.⁸² Some of this money may never have been

⁷⁹ ECA, Town Treasurer, v, 1258. *Edin Recs 1626–41*, 103–4, 109, 202, 203. R.K. Hannay and G.P.H. Watson, 'The Building of the Parliament House' in *BOEC*, xiii (1924), 1–78.

⁸⁰ ECA, Town Treasurer, v, Account 1618–19; vi, Account 1638–39.

⁸¹ This act has been omitted from Wood's edited extracts, ECA, SL1/15, f.85.

⁸² ECA, Town Treasurer, vi, Account 1639–40, 24–5; ECA, SL1/15, ff.276, 279; *Edin Recs 1626–41*, 204, 205, 206, 213, 234, 238.

accounted for. In February 1648, the council was trying to repay the interest which had gathered on £58,000 borrowed 'for the sledge of the Castle'.⁸³ The town was also providing money for the Covenanting regime in order to plug gaps in taxation revenue. In the spring of 1640, for example, the committee of estates borrowed £100,000 from the town council.⁸⁴ The following year, the council was still owed £72,836 10s 2d, but at some point in 1642 or 1643, the former treasurer acknowledged that neither the principal sum nor the interest had ever been repaid.⁸⁵

The decision by the committee of estates in November 1643 to send an army into England to assist parliament in its struggle against the king intensified Edinburgh's financial problems. The town council provided £60,000 for the upkeep of the town's regiment, and John Fairholm, treasurer, was allowed to borrow 20,000 merks (about £13,333) 'for bwying of armes and furnishing of baggage hors to the Regiment and for tents, pans and other necessars'.⁸⁶ As the armies became bogged down in England and Ireland, the initial contributions ran out and yet more had to be found to keep the men in the field. On two occasions at least, in 1644 and in 1646, Edinburgh was asked to provide hundreds of pairs of shoes, along with clothing, for the soldiers in England. In September 1646, the town council provided an advance of 3,000 merks (£2,000) for the payment of Colonel Rae's regiment, 'being urgit thairto be the Committee of Estaitts'. That money was, of course, borrowed, with the promise that it would be paid out of the stent 'quhilk they ar collecting'.⁸⁷ By the end of 1644, Edinburgh town council was faced with a huge tax bill, the accumulation of debts from at least the late 1630s, and the seemingly inexhaustible demands of the army.

Just when it perhaps must have seemed that things could not get any worse, Edinburgh was hit by plague. This not only crippled

⁸³ *Edin Recs 1642-55*, 144. ECA, SL1/16, f.254.

⁸⁴ ECA, SL1/15, ff.121, 123. Stevenson, 'Financing the Cause of the Covenants', 92-4.

⁸⁵ ECA, Town Treasurer, vi, Account 1642-43, 4, 19.

⁸⁶ This total deducts the cost of the regiments sent to Stirling to protect Edinburgh against the forces of James Graham, marquis of Montrose. ECA, Town Treasurer, vi, Account 1643-4, 37-8. ECA, SL1/15, f.330r.

⁸⁷ ECA, Town Treasurer, vi, Account 1643-4, 39. ECA, Bailies' Accounts, 1564-1689, ff.1457-71. *Edin Recs 1641-55*, 44, 91, 98.

trade, which was already suffering as war continued across the three kingdoms, but also incurred significant expenditure as the town council sought to keep the disease (and the remaining population) under control. Marguerite Wood claimed that £10,792 6 8 was spent by the council on the provision for the sick and dying, which probably underestimates the full cost.⁸⁸ Although the council's own income had collapsed during 1645, there were still people able to lend the council a total of £45,333 in 1644–45, some of which must have been spent on plague measures.⁸⁹ In May 1646, when the worst had passed, the town council imposed a tax of 50,000 merks (£33,333 6s 4d) in order to repay what had been 'debursit be the magistratts thair of dureing the tyme of the heave visitatioun of the pestilence'. Around the same time, the town council was forced to admit that the 'troublesome tymes' had so burdened the common good that it was now impossible to meet the interest repayments on its loans.⁹⁰

This seemingly desperate situation was addressed by the council during the brief lull in hostilities during 1647 and early 1648. There seems to have been an attempt to consolidate debts, by writing off those that were beyond any hope of repayment and catching up with interest repayments.⁹¹ More borrowing was required in order to achieve this, but it is not clear how Edinburgh managed to find the money. Perhaps some of the money paid by the English parliament to the Scots army after January 1647 had been promised to Edinburgh. If so, it could have been used as security on further loans. Council borrowing remained high throughout the 1640s, but it reached an unprecedented level during 1647–48 (Figure 1.2). Edinburgh was able to borrow £234,991 16s 8d, from more than thirty sources, most of which appears to have been used to pay the interest outstanding on the council's previous loans. A further £40,000 was advanced by the town council for the use of the Engagement army in the summer of 1648. After its defeat, the government declared the Engagement unlawful, which allowed the council to assert in

⁸⁸ ECA, Marguerite Wood's notes on Moses Bundle 191, File 22/J8.

⁸⁹ For example, see the account of the merk of the tun, ECA, Accounts for Building and Repair of Churches, 1637–44. ECA, Town Treasurer, vi, Account 1644–45, 19–20, 34–5.

⁹⁰ *Edin Recs 1626–41*, 87, 91. ECA, SL1/16, ff.90, 101.

⁹¹ ECA, SL1/16, f.239.

December 1649 that the £40,000 could not, 'in conscience', be repaid.⁹²

Edinburgh town council's enormous borrowing was probably made possible because everyone knew that the government still owed the council very large sums of money. Three acts of parliament passed in Edinburgh's favour in March 1649 conceded that the council had 'readily and chearfullie' advanced to the public over £186,319, including the annualrents to date.⁹³ Had this money been recovered, the town council would have been able to restore its finances. On 28 September 1649, the outgoing council recorded how much would be required to 'turne the course of debt', and acknowledged that about £60,500 was outstanding. In 1649–50, the town treasurer paid off approximately £53,000 of debt, but they had to borrow again to do this. The names of prominent Edinburgh inhabitants, such as William Dick, the current provost, James Stewart, James Roughead and Archibald Sydserf are listed amongst those who provided the council with £30,800 to cover their 'urgent and necessarie affaires'.⁹⁴ Neither the debts owed by the public to Edinburgh town council, nor the council's debts to its creditors, may ever have been repaid. At the English invasion all government activity was suspended in the capital. When relatively normal business resumed in the autumn of 1652, the huge sums flowing through the town treasurer's accounts had disappeared and the council's outgoings had fallen back to levels last seen in the early 1630s. The town treasurer for 1652–53 did expend over £27,000 in interest repayments, but this seems modest in comparison to the amounts recorded in the accounts of the late 1640s.⁹⁵

There is no doubt that the state of town council finances was, at best, precarious, and more frequently, parlous. What surprises is the continued ability of the town council to raise money through borrowing. This points to the existence of a nascent credit system in

⁹² ECA, Town Treasurer, vi, Account 1647–48, 11–13. Stewart, 'Politics and Religion', Appendix, Figure Five. *Edin Recs* 1641–55, 222, 224–5.

⁹³ *APS*, vi, pt. ii, 364–7.

⁹⁴ ECA, SL1/17, f.188. ECA, Town Treasurer, vi, Account 1649–50, 21–5.

⁹⁵ ECA, Town Treasurer, vii, Account 1652–53, 21–30. A council act of December 1655 indicates that Sir James McGill of Cranston-Riddell, for both himself and the college of session, was trying to recover loans worth over £45,000, seemingly with limited success. *Edin Recs*, 1642–55, 394–95.

Edinburgh that, for all its fragility and immaturity, was still capable of providing the council with much of the money it needed. The difficulty, for local as much as national government, was that the restricted nature of traditional revenues made the ability to repay loans unpredictable. Reliable tax revenues, which could be used as the security on loans, was one potential way out of this conundrum. Ironically, given that the Covenanted regime was inching its way towards that very solution during the 1640s, it was taxation policy under James and Charles that first pointed in that direction. Charles, as will be seen in chapter four, pushed too hard against vested local interests. In Edinburgh, his fiscal policies could not be separated from either the widespread disgust at Charles's other activities, or the council's awareness of how much those other activities were costing them.⁹⁶

During the 1640s, Edinburgh was unable to collect taxes efficiently and use those revenues to support public borrowing. There was no attempt to capitalise on the potential of the 1620s, when Edinburgh had been able to use tax revenue to stabilise its finances. The council's chaotic accounting was not reformed and conditions mitigated against the search for long-term solutions to fundamental weaknesses. Instead, the council probably hoped that the government would bale them out with an emergency injection of hard cash. Lenders to the council presumably hoped this would happen, too, but repayment in full must have looked like an increasingly forlorn hope as both council and government became ever more mired in debt. It would be nonsense to suppose that early modern merchants were giving loans to the council out of the goodness of their Covenanted hearts, but on the other hand, public revenues were called the 'common good' for a reason. There must have been individuals who regarded financial support for the council as part of the natural responsibilities of public life. As will be discussed more fully in chapter three, it was accepted by rich and poor alike that the price of elevated social and political status included a sense of duty towards the rest of the community. The council acted on behalf of that community, and nobody wanted a situation where it was unable to carry out its

⁹⁶ This paragraph uses some of my preliminary work on Covenanted finance and I am grateful to the British Academy for providing the means to pursue this project. See also Stewart, 'Parliamentary Taxation'.

public functions because it had run out of the means to pay for itself. No doubt the council's creditors expected to get their money back—they may even have hoped to make a profit—but it was not the only motivating factor behind their actions.

The Political Community

The complete dominance of the town council over all areas of its administrative structure, and the high preponderance of town councillors in the advisory body known as the neighbours has been established, but the picture needs refined. While the council demonstrably tightened their grip on key committees such as the kirk and guild council, a two-tier system was developing in parallel with the consolidation of oligarchy. Although there are problems with the available terminology, the evidence here suggests the existence of a core political elite, whose families had been involved in burgh politics for decades and who filled the senior offices on the town council. Beneath them was a larger 'middling sort' who, in common with their political superiors, probably did not 'depend on their hands' for their livelihoods, but who lacked their social credentials.⁹⁷ It was these men who pushed their way into the political life of the burgh in the early seventeenth century, but in the main, they were only able to penetrate its outer margins.

The development of this two-tier system was partly enabled by the need for more personnel. There were only so many councillors to carry out a certain number of tasks. Farming out the less appealing jobs to those lower down the social hierarchy gave the illusion of greater participation in government while ensuring that the real levers of power were still being held by the type of people who had always held them. This does not necessarily mean that government was 'remote', although the strict social hierarchy which the council was instrumental in maintaining suggests it was increasingly

⁹⁷ For a discussion of the validity of these terms, see K. Wrightson, "'Sorts of People" in Tudor and Stuart England' and P. Earle, 'The Middling Sort in London' in Barry and Brooks (eds), *Middling Sort*, 32, 40, 44–6, 143. See also M. Rappaport, *Worlds within Worlds: Structures of Life in Sixteenth Century London* (Cambridge, 1989), ch. 9.

‘authoritarian’.⁹⁸ What seems so striking is the incredible stability of early modern oligarchic government in an age of social, political and religious turmoil. There is no evidence of attempts from below to overthrow a town council or force changes in its composition,⁹⁹ although certain people on it did become unpopular. Nor did the council’s appalling financial position provide an excuse for overhauling the council’s membership. Although the council must have defaulted on some of their debts in 1650–51, the burgh elite continued to shore up the council’s finances. By so doing, they prevented the possibility that fiscal collapse would generate political instability. Remarkably, therefore, Edinburgh town council continued to operate effectively until the English occupation, and even that did not permanently eradicate most of the town council’s functions. This suggests that the political elite continued to exercise authority through the town council in a way which remained relevant to the population of Edinburgh in its widest sense.

Democracy is the ideological framework for the modern Western world. It is a powerful and meaningful idea that embodies the fundamental equality of all men and women, even if, all too often, it is manipulated for base aims and tragically fails in its promise. In the early modern world, a hierarchical, patriarchal society equated ‘democracy’ with chaos and the term was often used pejoratively.¹⁰⁰ Few would have seriously challenged the idea that those who were ‘maist apt and able to judge and decerne’¹⁰¹ should take on the burdens of office. The fact was that only a minority had the time, the money or the education that would have enabled them to serve

⁹⁸ Lynch, ‘Introduction’ in *Early Modern Town*, 16, 28.

⁹⁹ Brenner and Pearl show that in London in the early 1640s, there was a challenge to the political hegemony of the aldermanic bench, R. Brenner, *Merchants and Revolution: Commercial Change, Political Conflict and London Overseas Traders, 1550–1653* (Cambridge, 1993), pp. 323, 343–45, 368, 399, 451. V. Pearl, *London and the Outbreak of the Puritan Revolution: City Government and National Politics, 1625–43* (Oxford, 1961), ch. 6.

¹⁰⁰ B. Manning, ‘Puritanism and Democracy, 1640–42’ in D. Pennington and K. Thomas (eds), *Puritans and Revolutionaries: Essays in 17th Century History presented to Christopher Hill* (Oxford, 1978), 143. For broader political thinking, see J.P. Sommerville, *Royalists and Patriots: Politics and Ideology in England, 1603–40* (2nd edn, London and New York, 1999), ch. 1.

¹⁰¹ The statement relates to the dean of guild court, but it holds true for the council. *APS*, v, 30.

effectively on the council. Of course there were always going to be men handicapped by small resources and plagued by big ideas banging on the doors of the council chamber, but for the vast majority of Edinburgh's mushrooming population, the issue was not about representation. It was about whether town councillors were still performing their primary task of protecting and advancing the interests of the community at large. As long as the council continued to regulate prices, apprehend thieves, organise the removal of middens, maintain the churches, keep the wells free of debris and monitor the quality of food in the markets, then they were fulfilling their most fundamental functions.

Councillors, magistrates and even provosts came and went, but the actual structure of government proved very resilient presumably because it gave everybody what they expected from it. The key was consent; those who were denied access to political circles accepted this when they believed that the men running their affairs were visibly upholding the burgh's interests. Perpetuating the idea that the council was capable of doing this was also dependent on generating respect for the offices themselves. Council membership was socially exclusive, both in terms of wealth and background, but this was not necessarily something which contemporaries would have criticised. It was imperative that the dignity of the council was maintained by men who could deliberate with privy councillors, provide the financial backing office inevitably required and demonstrate the skills, honed over a lifetime of mercantile activity, which were necessary to understanding Edinburgh's complicated rules and privileges. Nobody would have been convinced that a semi-literate fishmonger was a better man to have as bailie than an international merchant with a wide network of friends to call on for assistance.

As in all political systems, Edinburgh town council was probably less concerned by what the masses thought, than it was with the opinions of that tiny proportion of the population whose personal interests were intimately intertwined with the continuation of oligarchic government. It was that amorphous body of neighbours who really counted, if the town council was to survive the traumas of the 1640s. They bankrolled the council's chaotic finances. They provided its personnel. In the most literal terms, they *were* the community that the town council represented. Consequently, the stability of the town council during the 1640s was partly based on the fact that the several hundred inter-related individuals who made up this privileged

network had a vested interest in stability. There is an argument that concentrating on the memorable battles, the political intrigues and the religious turmoil of history disguises the fact that continuity, not change, is the normal state of affairs. The remarkable stability of the town council of Edinburgh in the first half of the seventeenth century decisively supports that argument.

CHAPTER TWO

THE BURGH AND ITS CHURCH

Secular and Religious Authority

Early modern town government and the concept of civic harmony were inseparable. By convincing people of the essential oneness of the community, starkly obvious social and economic divisions, which prevented the bulk of the population from taking any part in government, were transcended. The old church had been absolutely fundamental to the creation of this idea. Its claims to universality were complemented by specifically localised expressions of faith, through the attachment to a particular saint, for example, which made the town both a part of the whole Christian world and distinctive within it. Reformation could have dealt a mortal body blow to this, the ‘great urban myth of late medieval Europe’;¹ instead, reformed churches everywhere heralded new Jerusalems, where the familiar language of civic harmony was harnessed to mask deep social, economic and religious tensions. Edinburgh was no different. Medieval ideas of civic harmony, unity and wholeness would remain intrinsic components of the capital’s identity for another century after reformation, providing a thread of continuity during a period of considerable change.

Reformation did not happen in Edinburgh overnight—if there was a single powerhouse of reform in Scotland at this time, it was St Andrews, not the capital.² On the other hand, given that Scotland was ruled by a Catholic queen for six years following reformation and racked by civil war for at least another six, it is not so surprising that the new church did not begin to hit its stride until the

¹ P. Collinson, *The Birthpangs of Protestant England: Religious and Cultural Change in the Sixteenth and Seventeenth Centuries* (Basingstoke, 1988), 31.

² J. Dawson, “‘The Face of Ane Perfytt Reformed Kyrk’: St Andrews and the Early Scottish Reformation”, in J. Kirk (ed.), *Humanism and Reform: The Church in Europe, England and Scotland, 1400–1643* (Oxford, 1991), 413.

1570s. As the capital, Edinburgh was particularly vulnerable to the political uncertainty generated by reformation, but it was also open to the potential opportunities. In the decades following reformation, Edinburgh town council was gifted the lands and revenues of the former religious houses within its walls, which, alongside its rights as a lay patron to provide ministers for the town's churches, gave the council almost total control over the old patrimony. This expanded the town council's financial responsibilities and created new problems, but also clearly enhanced its authority over the burgh's religious affairs.³

The town council was not set simply to absorb the church into an Edinburgh version of the English 'civil parish'.⁴ By the 1570s, a relatively efficient, stable kirk session, staffed by ministers and laymen, had begun to create a niche for itself in burgh society. It had done so by taking over responsibilities that the council was only too happy to devolve onto another body, notably the enforcement of social discipline and the provision of poor relief.⁵ Kirk sessions certainly posed problems for existing secular structures, because their perceived godly right to their own structures and procedures could make them difficult to control, yet by the end of the sixteenth century, they were physically and psychologically rooted in most Lowland Scottish localities. Part of this success rested on the fact that the kirk session was staffed primarily by those who were the natural leaders of society—wealthy merchants and their legal friends in the case of the capital.⁶ Fundamentally, however, it was the usefulness of the kirk session, particularly to a busy town council, which became obvious, by providing another layer of administration in localities where keeping order was a constant battle.

In some ways, the test of the reformed church was not in managing to establish itself, but in its continued ability to serve a locality effectively year on year. Edinburgh's growing population, frequently

³ *APS*, iii, 499. Lynch, *Edinburgh*, 28–35, 38–9. An explicit statement of the town council's patronage rights, which rejected any such claims by the sessions, was made in July 1648, *Edin Recs*, 1642–55, 157.

⁴ S. Hindle, *The State and Social Change in Early Modern England, 1550–1640* (Basingstoke, 2002), 206.

⁵ Todd, *Culture of Protestantism*, 11, 14. W.R. Foster, *The Church Before the Covenants* (Edinburgh and London, 1975), 71. C. Lerner, *Enemies of God: The Witch-hunt in Scotland* (London, 1981), 55–6. Goodare, *State and Society*, 175, 177–78, 181.

⁶ Lynch, *Edinburgh*, 39–40.

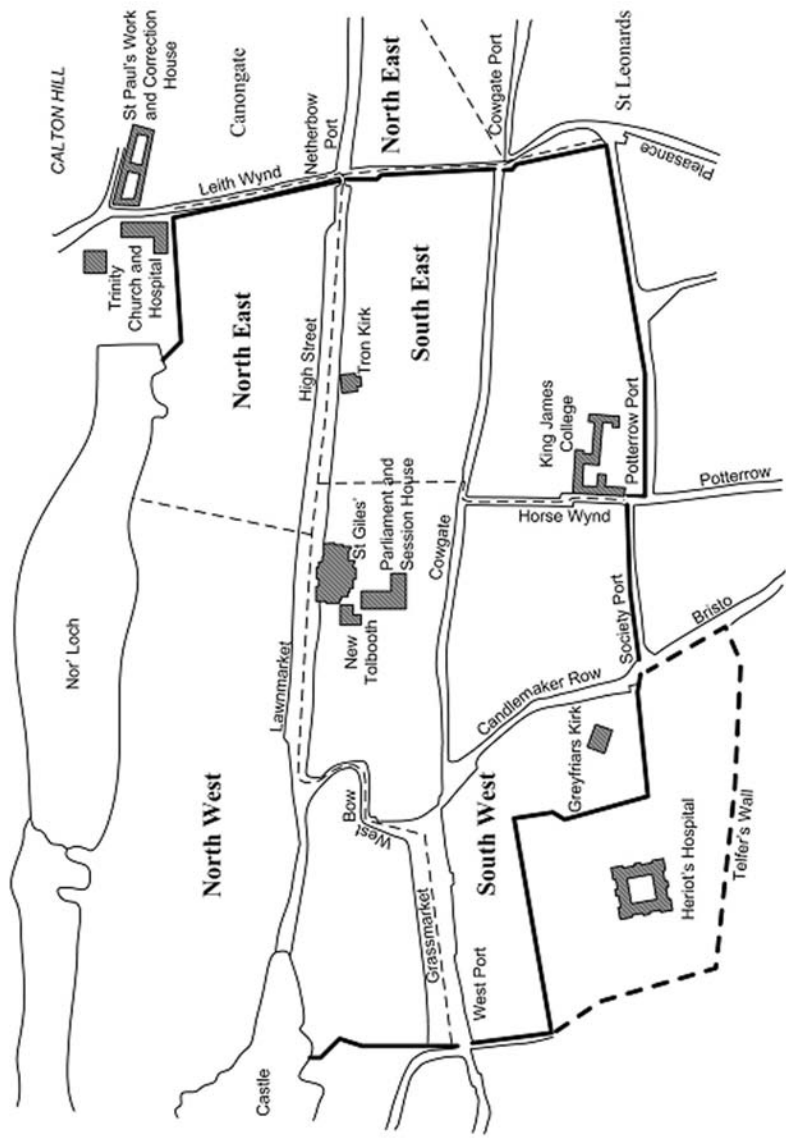
swelled by migrant workers and temporary visitors, presented particular problems for the efficient operation of the church's structures. One of the most obvious was a growing lack of space in the burgh's traditional places of worship. Attachment to the medieval idea of the *corpus christianum* revealed itself in a reluctance to split the population across numerous churches, either before or after reformation, as seems typical of even relatively small English provincial towns.⁷ During the first quarter of the century, Edinburgh possessed a single general session serving the three congregations crammed into the main parish church of St Giles' and another at the fifteenth-century Trinity College Church, at the head of Leith Wynd. In 1620, the newly opened Greyfriars' Church relieved pressure on St Giles' but the single general session remained. This somewhat chaotic arrangement, which probably included peripatetic ministers, was overhauled in 1625 (see map 3). The general session was separated into 'four distinct sessionounes' that matched the secular division of the burgh into four quarters, each with two ministers and twelve laymen, divided into six elders and six deacons.⁸ By 1641, this proved inadequate and the town had to be divided again into six parishes, each with two ministers, four elders and four deacons (see map 4). This expanded to six elders and six deacons in 1644. In October 1648, after the government had been seized by Covenanting radicals, the council proposed that Edinburgh should have twelve ministers, but proposals to increase the number of congregations to ten were not pursued until 1655.⁹

By the later sixteenth century, it has been asserted that the session was increasingly dominated by the town council. Using admittedly fragmentary evidence, it does *not* seem that the council's efforts to control the session extended to packing that body with its own personnel in the seventeenth century; perhaps as little as one-quarter

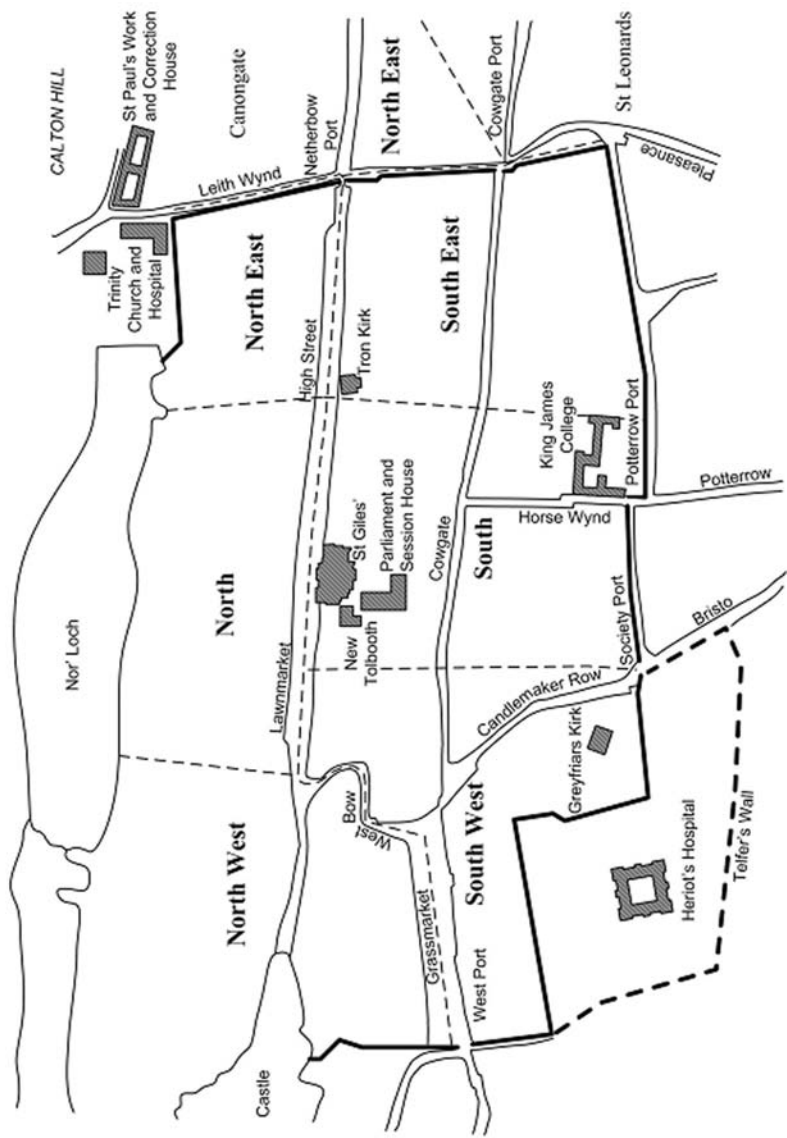
⁷ Collinson, *Birthpangs*, 42. Edinburgh's constrained site might also be a factor in the small number of churches.

⁸ A number of the ministers who preached in St Giles' do not appear to have had specific parochial duties in this period. *Fasti*, i, 23–132. The absence of kirk session records and inconsistent use of the plural makes it difficult to work out if multiple sessions met before 1625, but it seems likely that they came formally into being at that time. *Edin Recs 1604–26*, 277–79, 292. For a description of how St Giles' was physically divided up, see Appendix, Table 2.

⁹ *Edin Recs 1626–41*, 252–54; *1642–55*, 178, 232, 371. ECA, SL154/3/1, Account 1644.



Map 3: The parishes of Edinburgh, 1625. From *Atlas of Scottish History*, ed. McNeill and MacQueen, 456.



Map 4: The parishes of Edinburgh, 1641. From *Atlas of Scottish History*, ed. McNeill and MacQueen, 456.

of kirk session members in this period ever sat on the council, although over half (55 per cent) had sat, or would sit, on a council committee.¹⁰ This suggests that the election procedures of the sessions may have allowed a middle rank of burgh inhabitants to create something of an oligarchy of their own.¹¹ Was this a source of tension between session and council? It may have *exacerbated* tension between them, when other issues had provoked conflict, but disputes were more likely to be informed by a differing emphasis on the balance between political pragmatism and godly zeal. In turn, this could have been informed by a session member's other responsibilities. Control of congregations, not the session, may have worried the secular authorities most of all. Restrictions on congregational nominations to the session were imposed in 1575, 1584 and again in the late 1610s, but not necessarily between those dates. When Edinburgh's parishes were reorganised in 1625, session elections involved 'the proveist, bailies and counsall, the ministers of the parochin and present session', not with the wider congregation, as had apparently been customary.¹² Yet more contentious was the nomination of new ministers. Although King James had tried to ensure that Edinburgh could not appoint a minister without his consent, the congregation still retained a voice in the proceedings.¹³

¹⁰ There are extant records for only two of the parishes, for the years 1626–38, and there are no presbytery records. NLS, Register of Southeast Parish, 1626–38, Wod.Fo.XVI. NAS, Trinity College Kirk Session, 1626–38, CH2/141/1. The names of the deacons from all quarters for the entire period can be extracted from the kirk treasurer's accounts, ECA, SL154/3/1. The election for 1625–26 was recorded in the town council's minutes, ECA, SL1/16, ff.640–41. It is not clear that councillors were more likely to become elders than deacons. The ratio of deacons and of elders who were also councillors at some point in their careers is identical—1:3.5—although there is more evidence relating to deacons. I am grateful to Dr James Brown for providing me with his notes on this subject. For more detailed discussion, see Stewart, 'Politics and Religion', p. 34.

¹¹ Lynch, *Edinburgh*, 38, 41–2. W. Makey, *The Church of the Covenant, 1637–51* (Edinburgh, 1979), 158–59. W.H. Makey, 'The Church of the Covenant, 1638–51' (PhD thesis, Edinburgh, 1973), 355–59. Makey's work needs refined. His analysis is perceptive, particularly on the wealth of the elders, but it is not systematic; one kirk session election, recorded when the new king was scrutinising the capital, cannot be used on its own to conclude that elders were all 'junior members of the burgh oligarchy'.

¹² Lynch, *Edinburgh*, 41–2. *Edin Recs 1604–16*, 278. Calderwood, *History*, vii, 454.

¹³ There are no session records in this period. 1625 may have involved more restrictions than usual because King Charles's determination to have the parishes reorganised meant that the session elections attracted particular attention. *APS*, iv, 111.

How were the secular and ecclesiastical bodies supposed to interact with one another? The new church's instruction manual, *The First Book of Discipline*, discussed this very issue. Those who were 'obstinate maintainers' of heretical doctrine or scandalous lives 'ought not to escape the punishment of the civill Magistrate'. Ministers and their sessions could, therefore, expect the full cooperation of the secular authorities in their unceasing bid to establish a truly godly society. From the outset, this implicitly raised the issue of overlapping jurisdiction, and while the church acknowledged that certain wrongs fell under the 'civill sword', the purity of the kirk of God depended on the extirpation of those sins which that civil sword 'either doth neglect or not punish'.¹⁴ *The First Book* implied that in such matters, the law of God as exercised by the kirk was completely autonomous. It was the role of the magistrate to support those laws, but not to determine when they should be applied. The natural conclusion which could be drawn from this was famously articulated in a Scottish context by Andrew Melville, who argued that there were 'two kingdomes', the spiritual and the temporal. They would 'fortifie and assist' one another but remain absolutely separate in their jurisdictions.¹⁵

The practical implications of this were less dramatic than they purported to be in theory. As with Andrew Melville's famous bouts of sleeve-tugging with his anointed king, the relationship between church and secular government was only an issue when one side blatantly transgressed the perceived bounds of the other. At grass-roots level, 'fortifie and assist' describes what usually appears to have been happening in Edinburgh by the seventeenth century.¹⁶ There was absolutely no suggestion in Edinburgh that the local church courts were seeking to establish themselves as a rival to the ancient and established authority of the town council. Likewise, the town council had no particular interest in the actualities of what was going on inside the session, and positively endorsed any campaign which sought to diminish social disorder of any kind. Problems arose only when the need to preserve the spiritual mission resulted in politicisation of the church's agenda.¹⁷ This brought them directly into

¹⁴ *First Book*, 89, 165.

¹⁵ Goodare, *State and Society*, 198–201. Calderwood, *History*, v, 438.

¹⁶ Todd, *Culture of Protestantism*, 21, 362, 371–74. Foster, *Church Before the Covenants*, 84.

¹⁷ Goodare, *State and Society*, 206.

conflict with secular bodies, whose political security could be undermined when commitment to the godly cause limited the amount of common ground available for compromise and negotiation.

Famine, Plague and the Burgh's Authorities at Work

For much of the time, the relationship between town council and church was a harmonious one,¹⁸ because the basic functions of the kirk sessions were wholeheartedly supported by a secular authority which was nonetheless conveniently uninterested in what they were actually doing. These basic functions were provision for the poor and social discipline.¹⁹ The town council took little interest in these activities, except to monitor (but not directly control) the session's finances and to support ecclesiastical censure with civil penalties. This does not appear to have resulted in rigorous punishment. The bailies, who handled such cases, may have felt that for first offenders who had already been dealt with by the kirk session, the threat of the full application of secular law was a sufficient deterrent. In 1629, for example, Peter Herkles had been tried before the south-east session for 'keiping ane suspitious and evill hous' and harbouring a banished woman. Ecclesiastical censure probably involved a fine or a period of humiliation in the kirk, but the bailie imposed no immediate penalty and told him not to do it again under 'paine of bainishment'.²⁰

Town council and kirk session worked together in relative harmony to ensure that Edinburgh's population behaved themselves in accordance with accepted notions of honest living. Eradicating fornication, drunkenness, fighting, swearing and slander—the overwhelming bulk of kirk session business—were obvious components of the drive for a truly godly society.²¹ In this, the ministers had

¹⁸ Goodare has identified 'long periods of uncomplicated cooperation' in other places, *State and Society*, 208–9.

¹⁹ Foster, *Church Before the Covenants*, 71–83.

²⁰ ECA, Black Books, i, 1627–1702, 10 January 1629. The case could not be found in the kirk session records for the same year, 1629. NLS, Wod.Fo.XVI. This is one example, where the secular authorities evidently felt that whatever punishment had been exacted by the kirk session was sufficient. Todd's assessment is that on the whole, town councils were supportive of their sessions, *Culture of Protestantism*, 11–12, 369.

²¹ Foster, *Church Before the Covenants*, 75–6. Particular reference was made to

many willing helpers who also believed that the purity of the kirk depended on the purity of the whole community.²² From a secular viewpoint, eradicating bad behaviour was essential to the harmonious coexistence of burgh inhabitants. This was implicit in the ubiquitous term good ‘neichborheid’,²³ but policing Edinburgh’s overcrowded closes and wynds presented serious practical problems. Even once the constabulary had come into existence,²⁴ the deacons were absolutely invaluable both for their additional manpower and because of the spiritual authority conferred upon them. The task of rounding up brawling youths and scolding harlots must have been unremitting, and it is little wonder that in urban centres all across Britain, it was primarily the godly who possessed sufficient enthusiasm to take on this thankless job.²⁵

Should a crisis occur, civic duty and godly zeal coalesced in order to secure the burgh from social breakdown as much as to assist the sick and dying. Under normal circumstances, the kirk sessions were responsible for a monthly rate throughout the parish, augmented by the far more lucrative voluntary collections at the church doors after sermon. These sums amounted to around £10,000 *per annum* at the end of James VI’s reign and had more than doubled a decade later. A kirk treasurer, who was very often from a politically prominent family before 1638, managed the finances of the session, although it is clear that the kirk collected its own money rather than have it apportioned to them by the council.²⁶ The sessions then distributed this money, managing, somehow, to operate the highly selective criteria for who was considered deserving enough to receive.²⁷ It was only when the famine of 1621–24 threatened to overwhelm the

‘banners, sweirars and drunkards’ in the synod session of 1 May 1644. *Synod Record of Lothian and Tweeddale, 1589–96, 1640–49*, ed. J Kirk (Stair Society, 1977), 155.

²² *First Book*, 166–68.

²³ ECA, Dean of Guild Records, SL144/4, 14 April 1624.

²⁴ See Chapter One for a discussion of the constabulary.

²⁵ For example, P. Clark, ‘The Ramoth-Gilead of the Good: Urban Change and Political Radicalism at Gloucester 1540–1640’ in P. Clark, A.G.R. Smith and N. Tyacke (eds), *The English Commonwealth 1547–1640* (Leicester, 1979).

²⁶ ECA, SL154/3/1. It is not clear whether the town council controlled the election of the kirk treasurer. This is confused by the fact that the kirk council also appears to have had its own treasurer, too. For further discussion of Edinburgh poor relief in the early 17th century, see Stewart, ‘Poor Relief in Edinburgh’.

²⁷ Goodare, ‘Parliament and Society’, 413–17, 425.

somewhat rudimentary system of poor relief that the town council became involved, although the records suggest that, as Melville had envisaged, this was a classic case of the civil magistrate supporting the kirk sessions in their godly work.²⁸ Although individual councillors may have been moved by the plight of the starving multitudes drawn to the outskirts of the capital in search of food, there was a serious public order issue here. Given that food supplies were probably adequate, if pricey, within the burgh itself, the last thing the council intended to do was give it away to somebody else's refugees.

The council's aim, having closed the burgh to non-residents,²⁹ was to dispatch migrants occupying the grounds of Trinity College church, just outside Leith Wynd port, back to the parishes which should have provided for them in the first place.³⁰ On 2 May 1623, the town council authorised a special voluntary collection to enable the kirk session to provide the people with enough money and food to return from whence they had come,³¹ but many of the travellers were too sick to move. Magistrates helped the kirk session to establish a camp, at the site of the dilapidated former residence of Trinity Church's provosts. There, they directed the distribution of aid and made sure that none of the burgh's perfectly healthy inhabitants were attempting to presume on the town's charity by passing themselves off as famine victims.³² The session alone probably took responsibility for the burial of hundreds of people whose journeying had ended in the capital, separated from family and without any means of their own.³³ Throughout the crisis, which abated after 1624, the town council's primary role was to provide legal sanction for the extension of the existing poor relief system, but most of the actual work of providing assistance was firmly left within the remit of the kirk sessions.

During the plague outbreaks of 1645–47,³⁴ the worst and last in Scotland's history, the threat to the security and stability of the burgh

²⁸ A special account was opened in the years 1623 and again in 1624. They are extant in the kirk treasurer's records, ECA, SL154/3/1, Extraordinary Accounts, 1623 and 1624.

²⁹ *Edin Recs 1604–26*, 242.

³⁰ See 16, 17 and 23 May in ECA, SL154/3/1, Extraordinary Account, 1623.

³¹ *Edin Recs 1604–26*, 242.

³² *Edin Recs 1604–26*, 242. ECA, SL154/3/1, Extraordinary Account, 1623.

³³ ECA, SL154/3/1, Extraordinary Account, 1624.

³⁴ Aberdeen was badly hit in 1647; its response was similar to Edinburgh's. E.P.

was much greater. Unlike the famine of twenty years previously, the crisis was occurring chiefly within the burgh's walls, not around them. The disease came to Edinburgh in the autumn of 1644, brought by soldiers straggling back from the Scottish army then encamped at plague-infested Newcastle.³⁵ The colder winter months prevented the disease from breaking out until the spring of 1645, when everyone who had the means to do so fled the town—not surprisingly, the merchant elite, the lawyers and the government were first in the lines streaming out towards the relative safety of the countryside.³⁶ Yet many of Edinburgh's town councillors, who could have fled, remained to give some semblance of order to the chaos ensuing around them. Meetings of the magistrates, often with other councillors present, were on a par with normal council activity during the summer months, although they were suspended during August and September when the disease was at its height.³⁷ Even if flight was 'universally accepted' as the most obvious of remedies, there was still overt criticism of those whose personal fear led them to 'desert their function'. This was particularly pertinent in the case of magistrates who were supposed to be 'carefull of the safetie of [the] people'.³⁸ For those senior figures of the town who remained, the complementary concepts of civic duty and Christian charity were evidently at work, so much so, that they were willing to hazard their own lives.

In the dangerous work of running a plague-infested burgh, secular and religious figures worked together. The principal tasks involved closing up and cleansing houses, setting up and running a plague camp (sited at the former Sciennes nunnery on the south-eastern edge of the burgh muir), providing sustenance for people who had exhausted their own means when the markets had closed, and burying thousands of bodies.³⁹ George Walker, bailie, whose signature

Dennison, G. DesBrisay and H.L. Diack, 'Health in the Two Towns' in Dennison, Ditchburn and Lynch (eds), *Aberdeen*, i, 69–79.

³⁵ ECA, SL1/16, ff.41–66; SL154/3/1, Account 1645; Moses Bundle 191 and 192.

³⁶ APS, vi, pt. i. *Edin Recs 1641–55*, 63, 72.

³⁷ ECA, SL1/16, ff.41–60.

³⁸ Edinburgh City Library, Edinburgh Room, A. Skeldie, *The Only Sure Preservative against the Plague of Pestilence* (Edinburgh, 1645), pp. 9, 23, 26. P. Slack, *The Impact of Plague in Tudor and Stuart England* (London, 1985), 30.

³⁹ ECA, Moses Bundle 191.

appears on hundreds of receipts from more than one quarter of the burgh, may have taken charge of the entire operation. His diligence cost him his life, probably around the middle of August.⁴⁰ Elders were also directing activities,⁴¹ but it was the deacons who were most at risk. 'It pleased the Lord' to take the lives of James Peacock, James Sandilands, James Johnstone, John Wilson and Robert Paterson, whose dual role as apothecary and deacon made death particularly likely. Deacons of the craft guilds may also have remained in the town to help their own; Robert Thomson, mason, and William Blythman, flesher, died in the later months of 1645.⁴²

The kirk sessions, as formal institutions, had continued their work until around the first week of August, when they were 'constrained to leave off because the whole kirk doores wer shut up'. Collections at the church doors for the provision of the poor were being gathered as late as 1 August, but the amounts had been diminishing over the summer.⁴³ A similar situation prevailed in Canongate, where the session clerk informed his records that £4 was 'a small contribution indeed'.⁴⁴ As the epidemic progressed, Edinburgh town council's ability to provide for those who had no means of their own became a serious problem. South Leith was given permission to break open the cellars of private houses in order to requisition victual; it is possible that Edinburgh resorted to similar expedients.⁴⁵ Money, for buying up supplies and paying workers, was in very short supply. An unknown sum collected by voluntary contribution in April had probably been spent by August,⁴⁶ so the council went begging to its neighbours. Despite being in a similarly desperate position as the capital, Musselburgh and the little fishing village of Fisherrow gave £275, Canongate diverted a legacy of £517 18s., Duddingston provided £268 11s. 6d., Currie found £61 4s. going spare and a collection at St Cuthbert's kirkyard provided £148 11s. 8d. A substantial loan of £3,400 was provided by Edinburgh's dean of guild, whose funds were kept separate from those of the town council.

⁴⁰ *Edin Recs 1642-55*, 72. ECA, Moses Bundle 191.

⁴¹ ECA, Moses Bundle 191, no. 55.

⁴² ECA, SL1/16, ff.65, 66.

⁴³ ECA, SL154/3/1, Account 1645.

⁴⁴ NAS, CH2/122/3, August 1645.

⁴⁵ *South Leith Records, 1588-1700*, ed. D. Robertson (Edinburgh, 1911), 60-61.

⁴⁶ *Edin Recs 1642-55*, 66.

These sums were evidently a small proportion of the total expenditure. In 1647, when the town council was petitioning parliament for relief of its debts, it was claimed that the pestilence had cost no less than 200,000 merks (about £133,333 Scots).⁴⁷

Not all of the burgh's administrators were willing to sacrifice themselves for the greater good. In his petition dated September 1646, Charles Watson, servitor to the town clerk, requested remuneration for the weeks he had perilously spent assisting the council. He had been 'callit last yeir when others of my professione deserted yor Lo[rds]hips' service'.⁴⁸ Only one deacon, George Robertson, is actually recorded as absent during his term of duty, but gaps in the north and the south parishes suggests that once a serving deacon had succumbed, the town council was unable to find replacements.⁴⁹ Neighbour kirk sessions are even more explicit on this issue; there are at least two entries in South Leith's records referring to individuals who would 'not imbrace' any task involving exposure to the sick.⁵⁰ In Canongate, the remaining members of the kirk session noted that as 'sundrie of the elderis and deacons had transported themselfis to landward', others would have to be nominated in their place. One individual, who was given the role of providing food for the sick, watched his colleague succumb within a fortnight and decided it would be prudent to take himself off to Stirling.⁵¹

Crises such as the famine of 1621–24 and the plague outbreak of 1645 present classic examples of secular and ecclesiastical bodies working in harmony. Although the town council's authority was paramount, in reality any demographic crisis which threatened the burgh meant that kirk sessioners and town councillors simply pitched in together until the danger was past. Such occasions showed that James's post-1610 decision not to interfere directly in the structure of local church courts had paid dividends for individual communities. Both elders and deacons were expressly to be the 'men of best knowledge in God's word and cleanest life, men faithfull and of most honest conversation that can be found in the kirk'.⁵² Civic duty,

⁴⁷ *APS*, vi, pt. i, 811.

⁴⁸ *ECA*, Moses Bundle 186, no. 7020/1.

⁴⁹ *ECA*, SL154/3/1, Account 1645.

⁵⁰ *South Leith Records*, 59, 60.

⁵¹ *NAS*, CH2/122/3, 3 June 1645, 13 June 1645, 15 July 1645.

⁵² *First Book*, 174.

while still a powerful motivating instinct, was all the more potent if it was supported by piety. The combination of these ideals prompted certain people to hazard their own lives in the fulfilment of their office. Disaster enabled the protestant ideal to become a reality, as the civil and ecclesiastical spheres combined their resources to ease the suffering of the dying and prevent the disintegration of social order. Such cooperation in times of crisis was made possible by precedents that had been established over the previous decades. Kirk session members worked alongside constables, who received their instructions from the magistrates. The superiority of the town council was implicit here but this posed no problems for kirk session members. Their desire was not to usurp the council's authority, but to ensure that the secular authorities acknowledged their responsibilities towards the wider community.

Session, Council and Ministers in Conflict

Kirk session and town council worked well together when the activities of the session did not infringe the council's jurisdiction or call its status into question. The blurring of ecclesiastical and secular functions, however, meant that the session invariably strayed into politics. In those circumstances, the sense of godly righteousness inspiring kirk session members made them difficult to control. While the council might be the legally constituted authority in Edinburgh, the session had an irritating habit of putting loyalty to their godly calling ahead of their obedience to secular institutions. Matters were complicated by the ambiguous position of the clergy. Ministers might claim that their authority was derived from God and was endorsed by his flock—particularly somewhere like Edinburgh, where congregations were consulted on the appointment of ministers and regularly reviewed their conduct. On the other hand, it was the town council who paid his stipend, and he was also subject to the oversight of the bishops (even if he did not like being subject to bishops), who were answerable directly to the king.⁵³ As will be seen,

⁵³ It has been asserted that ministers were part of government administration in the localities by 1625, J. Goodare, *The Government of Scotland, 1560–1625* (Oxford, 2004), 217. See below, p. 54.

the overlap between the secular and the ecclesiastical could be a particularly uncomfortable juxtaposition for the parish minister. These tensions were played out in the years after 1617, when King James's decision to reform religious worship in Scotland exposed the limits of secular and ecclesiastical harmony in the burgh.

The battle over the Five Articles of Perth was primarily focused on kneeling to receive the sacrament, which was broadly considered to be a popish practice by the religious mainstream in Scotland.⁵⁴ At first, Edinburgh's clergy had been in the vanguard of opposition, manifested by their role in drawing up a Protestation against innovations during the summer of 1617. One of its authors, a minister at the High Kirk of St Giles', Peter Hewat, was deprived by the king. Under pressure from their senior colleagues on the high commission, Messrs. Patrick Galloway, Andrew Ramsay, William Struthers and Thomas Sydserf were brought to understand that continued obstinacy would send them the same way.⁵⁵ This generated a highly flammable set of conditions. Fearful of losing their livelihoods, the ministers were forced to preach conformity from the pulpits. Outraged at this apparent act of betrayal, the kirk session marshalled resistance against them. At kirk session meetings and pre-communion gatherings, held by 'the honest citizens' to try the lives of their clergy,⁵⁶ ministers and their congregations exchanged fire. The town council was caught in the middle.

Isolated from their congregations and from many of their brethren in the presbytery,⁵⁷ beleaguered ministers naturally looked to the town council for support, but councillors had divided loyalties. As individuals, many were probably lukewarm on the Articles. They may not have swallowed the nonconformist line that kneeling was a giant leap for the forces of Antichrist, but it was clear that any

⁵⁴ See Chapter Five.

⁵⁵ John Hall claimed he was too sick and infirm to carry out his spiritual offices and was allowed to demit his office, but not long after he was in trouble for agitating against the Articles. *Fasti*, i, 56. See also L.A.M. Stewart, 'The Political Repercussions of the Perth Articles Debate in Scotland: A Reassessment' (forthcoming).

⁵⁶ Trial of ministers by their elders and deacons had expanded to include godly members of the congregation in Edinburgh. Charles prohibited these meetings in 1625. *First Book*, 176. Calderwood, *History*, vii, 355–56. *Edin Recs 1604–26*, 262.

⁵⁷ See Chapter Five.

councillor who actively endorsed the policy was likely to become very unpopular indeed with friends, kin and the wider burgh population. It is true that few were as vocal as William Nisbet, who incurred the displeasure of his patron, James VI and I, by declaring that it was not the 'calling' of the town council to 'informe the people concerning maters of religion'.⁵⁸ He subsequently lost the provostship of the burgh, although his status as one of the most influential men in burgh society protected him from further reprisals.

Nisbet was not the only one whose resistance to the Perth Articles pitted his godly responsibility to uphold the Word of God against his obedience to the king's commands. As discussed more fully in Chapter Five, there were several attempts to target the ringleaders of kirk session opposition to the Articles. Eleven Edinburgh inhabitants were taken before the privy council in 1621 and again in 1624 for nonconformity—they were virtually the only laymen pursued by this body rather than the high commission, indicating just how seriously the government (pushed by King James) was taking Edinburgh's continued hostility to the Articles. One of those men was William Rig, a wealthy merchant burgess, bailie and elder, whose father had also been a bailie. He was not in the same league as Nisbet, but he was a member of the burgh elite and, unlike Nisbet, appears to have been a much bigger nuisance in the kirk session. Realising that James's unpopular decision to demand 'ane extra ordinair grite fyne' had provoked outraged indignation in Edinburgh, the council and the ministers (who may have given his name to the king in the first place) rallied to defend him. A resolute privy council braved the infamous royal temper and refused to levy the fine, thereby confirming James's suspicion, not entirely unfounded, that virtually everyone in Edinburgh who mattered was colluding against him.⁵⁹

The Rig case had placed the town council in an extremely uncomfortable position, but the sympathetic response of the privy council and the timely death of the king limited the political fall-out. For the kirk session, the damage was more serious. Although its errant members had received support from a variety of influential sources,

⁵⁸ Calderwood, *History*, vii, 391. Chapter Three explains Nisbet's family background.

⁵⁹ *OLEAS*, ii, 740–1, 752–4, 754–6. *RPCS*, 1st ser., xiii, 577–78, 664–5. Calderwood, *History*, vii, 433–4. *Edin Recs 1604–26*, 245. See Chapter Five.

the strident independence of the session had frightened the town council. Attempts by leading town councillors to use their political status to silence critics had been scorned; 'ye are but a sessioner heir, Sir, ye may not raigne over us', the deacon and dissenter John Mein told the bailie and future provost, Alexander Clerk, at a session meeting in 1619. Mein clearly conceived of a kirk session which should have no internal hierarchy and was certainly not supposed to be the tool of town councillors. Worse yet, that dangerous word 'conscience' had been brought up. Under intense pressure from the king, who was threatening to withdraw the royal favours conferred on the town, the council knew it had to find some way of closing down the kirk session as a vehicle for opposition to the Articles. If certain minds could not be changed, mouths would have to be stopped instead.⁶⁰

The first salvo was fired by the council at the end of 1618. A 'corrupt form' of kirk session elections was brought in, which prevented the congregations nominating the members, as had been set down in the *First Book*, by putting the process solely in the hands of the old and new town council and the current kirk session.⁶¹ This probably only aggravated matters further. During the course of 1619, a series of bitter kirk session meetings, the discovery of subversive literature (probably penned by David Calderwood) and a very public falling-out between the ministers and the town council necessitated further measures.⁶² In February 1620, a clerk was imposed on the sessions without recourse to their members, or indeed the ministers themselves, who opposed it. He was to be paid directly by the treasurer of the kirk council, which effectively gave control of recording the proceedings to a council appointee.⁶³ At the end of 1621, after parliament had passed the Perth Articles, the town council reinforced their power over the sessions by demanding, successfully, that certain disagreeable individuals be crossed off the kirk session election leets.⁶⁴

⁶⁰ Makey, *Church of the Covenant*, 158. Calderwood, *History*, vii, 362–63.

⁶¹ Calderwood, vii, 454. *First Book*, 96.

⁶² These events can be followed in Calderwood, *History*, vii, 342–410. See also *OLEAS*, ii.

⁶³ Calderwood, *History*, vii, 411. Spottiswoode, *History*, iii, 259. *Edin Recs 1604–26*, 185. ECA, Town Treasurer, vi, f.15.

⁶⁴ Calderwood, *History*, vii, 454, 518.

Control of the kirk sessions was attractive to the town councils of the early 1620s as an end in itself, but it was also linked to another, more important issue. Edinburgh's population explosion in the reformation century meant there was a desperate need for ministers to serve in what was, before 1625, a somewhat pressurised system. Attracting clergymen had become a serious problem, however, as even the excellent salary failed to convince at least nine prospective incumbents to brave 'so dangerous and heavy a charge'.⁶⁵ The difficulty was that selection of a new minister was in the hands of the 'honest citizens' of the congregation, which meant that sessioners like Rig or Mein, along with their godly friends, could end up picking the kind of man James would take violent exception to—and that would mean yet more enraged royal missives to the town council.

In October 1620, the south-east parish expressed a preference for the nonconforming minister Andrew Cant of Alford in Aberdeenshire. The council knew this would be unacceptable to the king and struggled, through proceedings which have an air of desperation about them, to force the kirk sessions to tolerate a conformist. At a meeting on 15 October, which excluded the wider congregation, William Rig complained that the election was not 'free' and that anyone with a knowledge of scripture was entitled to give their opinion. The meeting was adjourned until 5 November, when the town council appear to have pressed Mr Robert Balcanquhal and Dr John Strang in such an irregular manner that 'it wes thoct the men thameselffis wald nocht accept thair places upoun that forme of electioun'.⁶⁶ At this point, the town council dropped the issue, hoping, no doubt, that the December kirk session election would oust the 'refractorie spirits'.⁶⁷

In the coming year, the council was absorbed with the controversial 1621 parliament which, due to exceptional government management, ratified the Articles in the teeth of a fierce campaign to overturn them. With that unpleasant business behind them, the coun-

⁶⁵ The ministers were Messers. John Guthrie, William Livingston, John Strang, Robert Balcanquhal, Alexander Thompson, John Duncanson, Hugh Blair, Patrick Forbes and Robert Barron. ECA, Moses Bundle 195, nos. 7035, 7038, 7054–57. ECA, SL1/13, ff.106, 124. *Edin Recs 1604–26*, 153, 207, 213, 248.

⁶⁶ NLS, Wod.Qu.IX, f.146r.

⁶⁷ Calderwood, *History*, vii, 444–45, 448, 451, 454.

cil could now make another attempt to fill the capital's vacant pulpits. Bowing to pressure from the Edinburgh congregations, the council allowed Andrew Cant to give a sermon, in which he condemned the Perth Articles so eloquently that he moved some of his audience to tears. If councillors were weeping it was probably with frustration, not religious ecstasy. The ill-fated name of William Forbes, a conforming Aberdeen minister and talented theologian, had been mooted in high circles. On 12 December 1621, in a selection procedure that apparently had only one candidate, the old and new councils and sessions were forced to accept Forbes.⁶⁸ Knowing there would be a public furore, the council apparently convened another meeting of the 'good neighbours' on 18 December, presumably as a show of solidarity after the *fait accompli*. An anonymous manuscript made no bones about the irregularity of the procedure and the reasons behind it:

The Provost had beforehand so plotted the matter, as to prevail with the most part of the Councill and Session to elect Mr William Forbes, minister beside Aberdeen, without hearing or leeting, according to the usual order; and, albeit the body of the hoenst men who wer convened to the number of 2 or 3 hundred, and a great many of the Council and Session dissented, the said Mr Forbes was chosen. The inhabitantis votes wer still sought at former elections, but now they wer not allowed to vote. This was to the great discontent of all the good people of the town, and with such murmuring as was marveilouse to hear.⁶⁹

Sensing they had pushed their authority to its limits, the council took rather a different line in the election of a principal for the town's college in the autumn of 1622. As patrons, they must have been the ones to put forward Robert Boyd, whose high regard amongst his peers moved John Spottiswoode to express regret that St Andrews would not have the benefit of his learning. Boyd was a nonconformist, however, and Spottiswoode also advised Boyd to take a pragmatic approach. When James heard of this nomination to the same

⁶⁸ Calderwood, *History*, vii, 516–17.

⁶⁹ R. Lippe (ed.), *Selections from Wodrow's Biographical Collections. Divines of the North-East of Scotland* (New Spalding Club, 1890). See Chapter One for discussion of how 'inhabitantis' differs from other terms such as heritors or neighbours. In December 1616, it was the neighbours who convened to try a minister. *RPCS*, 1st ser., xi, 14–15.

college he had given his name to in 1617, he challenged the town council, who pleaded with the king to consider Boyd's not inconsiderable talents. An interesting letter survives which indicates that both the marquis of Hamilton and John Murray, Viscount Annan (later earl of Annandale) had been drawn into the affair. Hamilton claimed that 'his Majesties offence is so heigh' that the king was determined to force Boyd into conformity or else he would suffer banishment from the burgh entirely. Hamilton expressed his sorrow that the council's decision should have been 'so hardlie constructed' and that 'being ill provided of ane other to surrogate in his place' the college would be deprived of a gifted scholar. He warned the council against 'the effects of his majesties further displeasure' by which time the outcome was already a foregone conclusion. Boyd demitted his office at the end of January but was still resident in Edinburgh eighteen months later, with the privy council's knowledge—it defended him against James's accusation that Boyd had been leading conventicles in the town.⁷⁰

For the remainder of James's life, Edinburgh would be consumed by internecine fighting as the king's determination that the capital would kneel, and the equal determination of the nonconformists that they would not, polarised opinion. Forbes, who was evidently disposed to give as good as he got, exacerbated tensions with his thunderous sermons on the dispute, which he provocatively termed 'matters of moonshine'.⁷¹ Undaunted, five unnamed kirk session members prepared a Protestation in November 1623, claiming that Cant had been 'verie orderlie and formallie called and chosen' by the godly community.⁷² In despair, Sydserf, Ramsay and Struthers, abused 'not onlie by the commoner sort, but also by these that governe and rule others', sought alternative employment elsewhere.⁷³ Only Forbes was successful, but it probably had less to do with professed illness, than the fact that he was 'in small favour with many of the best in the toun'. Forbes scuttled back to the more congenial atmosphere of Aberdeen in August 1626.⁷⁴

⁷⁰ ECA, McLeod Bundle C9R, 23 January 1623. *OLEAS*, ii, 697, 745–46, 750–51, 832. Calderwood, *History*, vii, 566, 569–70. *Edin Recs 1604–26*, 238, 239, 240. *Fasti*, i, 45. NLS, Wod.Qu.IX, ff.185–86.

⁷¹ Lippe (ed.), *Divines of the North East*, 248, 249. Calderwood, *History*, vii, 523.

⁷² Calderwood, *History*, vii, 580–82.

⁷³ Calderwood, *History*, vii, 600. *Fasti*, i, 70.

⁷⁴ *Fasti*, i, 54, 69. *Edin Recs 1626–41*, 8. Row, *Historie*, 370.

The Five Articles of Perth had compromised the working relationship between town council, ministers and kirk session, by revealing the tension between loyalty to the secular authorities and commitment to the Word of God. From a political as well as a religious viewpoint, the public arguments amongst members of the burgh administration had sundered the unity of the community. In an age where discord ‘diseased’⁷⁵ the body politic as surely as cancer corrupted the human source of the metaphor, Edinburgh’s chaotic session meetings threatened the menace of social disorder, religious schism and political dysfunction—a world turned upside down. On a more practical level, the failure of town councillors and ministers to come to the same conclusions about what needed to be done, actually generated another dimension to the problem. For councillors, an Edinburgh-based solution was preferred to the unwelcome attentions of the king. Both Struthers and Galloway publicly reminded everyone of the ignominy of 17 December 1596, when a riot fomented by the burgh’s most fervent protestants had incurred the king’s wrath. Not that James himself needed reminding; in July 1624 he threatened to remove the court of session and college of justice, just as he done nearly thirty years previously, if obedience was unforthcoming.⁷⁶ The besieged members of the clergy believed that the studied ambiguity of the town council was really the root of the problem and had attempted to engage the king to force the council to take a more committed stance.⁷⁷ By involving the king, the town council felt that the ministers had brought their civil authority into question. The ministers had crossed that boundary from the spiritual to the temporal sphere. Predictably, the result was ‘grite discontentioun betuix the ministerie of Edinburgh’ and ‘the magistratis and counsall’.⁷⁸

Compared to the upheavals of the last decade of James VI’s reign, the first decade of Charles I’s seems surprisingly calm. Even without succumbing to the temptation to read history backwards from

⁷⁵ Patterson, ‘Conflict Resolution and Patronage’, 5, 24–5. J.H. Burns (ed.), *The True Law of Kingship: Concepts of Monarchy in Early-Modern Scotland* (Oxford, 1996), 197–98.

⁷⁶ Calderwood, *History*, vii, 342, 453. *RPCS*, 1st ser., xiii, 578.

⁷⁷ Calderwood, *History*, vii, 380–82, 389–90. NLS, Wod.Qu.IX, ff.118–19, 122, 123r–124r, 140r. In 1620, Mr John Hay, town clerk, was also accused of telling tales at Court, making him highly unpopular. NLS, Wod.Qu.IX, f.146r.

⁷⁸ NLS, Wod.Qu.IX, f.117. Spottiswoode, *History*, iii, 259.

the Prayer Book riots, this is deceptive; the Five Articles were causing problems again at least as early as 1628, and although all parties were probably looking for compromise, the long-term agendas of both the new king and his father's old adversaries mitigated against this. The young monarch's programme to create nothing short of a Scottish Anglican church was unrolled with vigour from 1633. In Edinburgh, this programme took on a very physical manifestation when Charles demanded the creation of a new bishopric, carved out of the sprawling diocese of St Andrews and centred on the capital. St Giles' would be raised to a cathedral, which necessitated kicking out its two congregations and building new churches for them, at the Tron and at Castlehill (see map 1). Polemics against the bishopric and its first incumbent, none other than the notoriously unpopular William Forbes, were circulating in Edinburgh by the mid-1630s, indicating that a formidable nonconformist propaganda machine was in operation even as the Prayer Book was being discussed.⁷⁹

It is important not to overemphasise the confidence of the nonconformists. Despondent clerics who feared that the thirty-five-year-old Charles might live as long as his father (a dispiritingly long twenty-plus years) took themselves off to Ireland, until a harsher regime there prompted some to consider relocating to the New World.⁸⁰ Others decided to stay put and take on the regime, but when the Prayer Book riots of July and October 1637 erupted, it is more than likely that nobody had envisaged taking it down. While the godly exulted at the rapid collapse of the unexpectedly shaky episcopal edifice plastered onto the Scottish church, the town council yet again found themselves wedged painfully between the king and their community. The surprising resolution in 1638 was the establishment of a new regime. It had defied the king and war was just around the corner, but as far as Edinburgh town council was concerned, the Covenanters had achieved the seemingly miraculous, by restoring to the secular and religious spheres that proper ordering which had been in abeyance since 1617.⁸¹

⁷⁹ See Chapter Five.

⁸⁰ Mullan, *Scottish Puritanism*, 34.

⁸¹ These events are discussed in Chapters Five and Six.

Harmony Restored?

The successful restoration of civic harmony was symbolised in Edinburgh by the signing of the National Covenant in February and March 1638. With war looming, the nascent regime needed a stable, loyal capital from which to command operations, and if that capital also happened to have great reserves of hard cash at its disposal, so much the better. The desire for at least a façade of unity was evident, at least initially, all across Scotland, in part because the regime needed support from local elites, most of whom, at some time or another, had complied with royal policies. This overrode any temporary political bloodlust, and also extended into the ecclesiastical sphere. Schism was still considered 'worse than to burne the bible',⁸² so that unlike 1662–63 and especially 1688–90, only the most recalcitrant ministers were deprived.⁸³ The bishops and some of their conformist friends made convenient scapegoats. David Mitchell, future bishop of Aberdeen, was hounded around the capital by triumphant Covenant-wavers and ultimately removed, along with David Fletcher, James Hannay and Alexander Thomson, for refusing to submit.⁸⁴ Andrew Ramsay and Henry Rollock survived the 1638 clear-out, but at least in Ramsay's case, this was not because of impeccable opposition credentials. He had been criticised during the 1620s for his conformity but wisely distanced himself from the Prayer Book, signed the Covenant and became a reliable member of the kirk commission until civil war forced people to question whether the commitment to Covenant and King ought to be reversed.⁸⁵

During the first five years or so of the new regime, when Scottish armies drove political events in three kingdoms, town council and clergy sang from the same hymn sheet. In the first flush of zeal for the new Covenant, with preparations for war going ahead on both

⁸² NLS, 'Ane Note of Mr Andrew Ramsay's Sermon: 21 August 1632', Wod.Qu. LXXVII, ff.15, 92–5.

⁸³ D. Stevenson, 'Deposition of Ministers in the Church of Scotland under the Covenanters, 1638–51' in *Church History*, xlv (1975), 325–26, 333.

⁸⁴ NLS, David Mitchell to the Bishop of Raphoe, Denmilne Papers, Adv.Ms.33.1.1, xii, f.30. *Fasti*, i, 70, 74. NLS, 'Ane Letter to Mr Alexander Thomsons', Ms.1939, ff.4–6.

⁸⁵ E.M. Furgol, *A Regimental History of the Covenanting Armies, 1639–51* (Edinburgh, 1990), 11.

sides, Edinburgh was self-consciously styling itself as the new Jerusalem. Just as Charles I had considered it imperative that Edinburgh conform to his policies, so Archibald Johnstone of Wariston rejoiced when those ministers who had refused the Covenant in the capital 'cast themselves out of that toun'. As an Edinburgh lawyer himself, Wariston knew that the 'durableness or not of this work' depended on the capital's constancy.⁸⁶ During 1639, three talented young ministers were appointed to Edinburgh parishes, two of whom would achieve prominence as the intellectual powerhouses of the Covenanting regime. Alexander Henderson and Robert Douglas, with their new colleague William Colville, worked alongside councillors to raise money and supplies for the army. From the pulpits, the ministers of Edinburgh harangued their congregations with the righteousness of their cause, thereby complementing the efforts of councillors to secure more material forms of support than mere expressions of good intent. The symbolic unity of the secular and spiritual spheres implied by the Covenant was put to practical effect in August 1640. While the ministers used 'prayer and exhortation' to encourage 'the neighbours' to empty out their coffers, the bailies convened to send the elders and deacons through the town to acquire linen for the soldiers' tents.⁸⁷ As would occur during the plague epidemic, dangerous times forced ministers, kirk sessioners and councillors to cooperate with one another.

As long as Edinburgh was threatened by the king's army, the realisation that his victory would mean the end of the Covenant coalesced with well-founded fears of royal vengeance. Ministers and town councillors were committed to a single cause, the preservation of the Covenant at all costs, which also had the fortunate consequence of distracting the godly from what they believed the Covenant was actually intended to achieve. The full reformation of Scotland as envisaged in the Glasgow general assembly had been temporarily delayed but not forgotten about. This had practical repercussions in Edinburgh. In January 1639, the town council decided to replace the partition walls within St Giles' which had been removed when the church was raised to a cathedral in 1634.⁸⁸ It may have been a symbolic

⁸⁶ *Wariston's Diary*, 403.

⁸⁷ *Baillie*, i, 64. *Wariston's Diary and Other Papers*, 97, 98.

⁸⁸ *Edin Recs 1626-41*, 212.

rejection of the hated bishopric, but it also alluded to the very real problem of providing Edinburgh's expanding population with buildings to worship in and ministers to preach the Word. Pressure was put on the town council to address the issue, but while many councillors supported the work, finding the money was another matter. Parish reform did not, on its own, generate a breakdown in the relationship between the secular and ecclesiastical bodies in Edinburgh, but it would provide an important backdrop to the disillusion which had set in amongst the godly by the later 1640s.

Not all of Charles I's religious reforms were abandoned by the Covenanters. Nobody, least of all Edinburgh's ministers, could have argued with the king's attempts to secure adequate payment for the clergy and establish the new churches which Edinburgh so desperately needed. So while the partitions in St Giles' were replaced, work on the two new churches at the Tron and at Castlehill continued. The Tron was opened for worship, unfinished, in 1641, but Castlehill was abandoned, probably about 1649;⁸⁹ the siege of Edinburgh Castle in 1640 may have retarded its progress beyond recovery. The siege may also have damaged the roof of Greyfriars' and the steeple of St Giles', but the town council's other financial headaches meant that repairs did not begin until 1644 and 1648 respectively.⁹⁰ It was apparent that even when the new churches were completed, there would still not be enough churches for all the parishes, while modifications, repairs and the building of pews continued in St Giles throughout the 1640s.⁹¹ Only Trinity Church seems to have remained untouched by the burgh's over-worked masons.

Adequate funding for the church, in a burgh where the town council was almost permanently financially embarrassed, was also desired by town councillors and ministers alike. The issue of paying for ministers and their churches was hardly new,⁹² but by the seventeenth century, it was recognised that the dilapidated state of the old patrimony necessitated new approaches. Depending on the charitable inclinations of the community tended to be a precarious strategy. In 1644, the town council were still trying to collect the voluntary

⁸⁹ *Edin Recs 1642-55*, 42, 56-8, 180, 182.

⁹⁰ *Edin Recs 1626-41*, 212; *Edin Recs 1642-55*, 5, 42, 56-8, 180, 182, 187.

⁹¹ Appendix, Table 2. *Edin Recs 1642-55*, see Index, churches.

⁹² Makey, *Church of the Covenant*, 125.

contribution for St Giles' and the two new churches, which had been promised by Edinburgh inhabitants in August 1635. It was 'not as yet all payit', presumably because, like the merchant Patrick Forbes who petitioned the council on this issue, there were many whose 'present condition' had deteriorated somewhat since the original offer had been made.⁹³ The inadequacy of these sums prompted the council to revive another, far more contentious, means of acquiring money. In 1635 an Annuity Tax had been proposed in Edinburgh, which would have assessed every householder and taxed them according to their rental. Faced with the implacable resistance of the college of justice, plus hostility against the new bishopric and rumours that a Prayer Book was planned for Scotland, the town council dragged its feet until events overtook the scheme. Having been 'disappoynted' of the payment, an attempt was made to revive the annuity in April 1642, but an act of June 1646, by its failure to mention the tax, suggests that it had been abandoned again.⁹⁴ In October 1648, the need to provide stipends for twelve ministers, when the burgh was already struggling to meet their existing obligations, prompted councillors to reconsider the idea. This time, there was to be 'no exemp-tioun' for the college, who were 'far more able' than many others in the town to provide assistance. The scheme was supported by the committee of estates, despite the continued resistance of the college, who agreed to provide for six of the twelve ministers if 'persounes of whatsoever Degree qualitie or place' were taxed at five per cent of their housemaill.⁹⁵ In December 1649, a small sum was lifted 'out of the annualrentis of the housmaills' but it was not enough to meet the council's requirements. Assertions that this would be a good 'beginning' proved too optimistic. Nothing more seems to have been collected before the English invasion and the council were resorting to borrowing by the spring of 1650.⁹⁶

Other expedients were also employed. In August 1636, Edinburgh had been gifted the merk of the tun, a tax on goods coming into

⁹³ ECA, Moses Bundle 195, no. 7058. ECA, SL1/15, ff.337, 342.

⁹⁴ *Edin Recs 1642-55*, pp. xxxvi-xxxviii, 6, 93-4.

⁹⁵ *Edin Recs 1642-55*, 178, 196, 211. The five per cent was subsequently raised to six per cent. *APS*, vi, pt. ii, 225-26, 416-18. ECA, SL1/17, f.73. NLS, Adv.Mss.22.2.10, ff.162-66.

⁹⁶ ECA, SL1/17, ff.210, 240. The date '5 Januar 1652' on a manuscript relating to this subject indicates that the Annuity was still under consideration at that date, NLS, Adv.Ms.22.2.10, f.166r.

Leith or Edinburgh, but this patently did not raise enough money. Legacies and voluntary gifts also remained an important source of income—a new church opened in 1655 was established with a gift from Margaret Ker, Lady Yester—but these were, by definition, unreliable.⁹⁷ A permanent settlement was required. A convenient solution was found in a scheme, paralleled in Aberdeen's St Nicholas Kirk, for building and renting out pews. Initially, the scheme was a useful expedient to control an unseemly mingling of the poorer sort with their betters until more church space became available—social status already affected where people sat and which door they entered by. Renting pews only to those who could advance a year's mail obviously became such an important source of revenue that the programme was expanded to all the other churches.⁹⁸ Secular and religious concerns complemented one another on this issue. The ministers wanted to ensure that there were no distractions during preaching and prayer, while the town council made use of a very public forum to reinforce the social hierarchy. More importantly, annual pew rentals could provide a permanent, calculable income—but there are no records showing this, which may suggest that the rentals were being sucked straight into the church building projects without going through the kirk treasurer's accounts.⁹⁹

Radicals and Moderates in Edinburgh

The evidence here suggests that contrary to the expectations generated by the general assembly of 1639, Edinburgh's second reformation had barely moved out of the starting blocks by 1648. If the ministers were resentful of this, the town council's feelings may have

⁹⁷ Merk of the tun gifted 'in all tyme cuming', *Edin Recs 1626–41*, p. xvi, 326. *Edin Recs 1642–55*, 42, 108. ECA, Merk of the tun compts, Accounts for Building and Repair of Churches, 1635–47.

⁹⁸ DesBrisay, Ewan and Diack, 'Life in the Two Towns' 44–7. ECA, SL1/15, ff.153, 258; SL1/17, f.125. *Edin Recs 1641–55*, 14. See Index, churches, seats, for the progress of this work. Where to place women in crowded churches while still maintaining social distinctions could prove particularly troublesome. Todd, *Culture of Protestantism*, 318–23. ECA, SL144/3, Accounts 1616–17, 1617–18. ECA, Town Treasurer, v, 147–56.

⁹⁹ *Edin Recs 1626–41*, 243. ECA, SL1/15, f.153. ECA, SL154/1, Accounts 1640–50.

been reciprocal. By the mid-1640s, the political profile of some of the capital's ministers was having a detrimental effect on their parochial duties. Alexander Henderson was a minister and a rector at the college, but he left for London in 1642. Years of ceaseless activity trying to convince the English of the merits of presbyterianism had exacerbated ill health. He returned to his home in Edinburgh shortly before his death in August 1646.¹⁰⁰ William Bennet, Mungo Law and George Gillespie all, at some point, acted as chaplains for the Scottish armed forces, necessitating their removal from Edinburgh.¹⁰¹ Law's parishioners at the south-west kirk petitioned for his return after a month's absence in 1647.¹⁰² Gillespie was also periodically involved in the negotiations to establish presbyterian church government in England, as was Robert Douglas, who then went to assist the purging of Aberdeen in 1647.¹⁰³ Even for those who stayed in Edinburgh, the leading role adopted by the capital's ministers on the commission of the general assembly must have proved extremely time-consuming; Douglas in particular, but also Gillespie, Bennet, Law and, latterly, James Hamilton were all heavily involved in its attempts to rid the country of malignants, liaise with (some might say dictate to) the committee of estates, pursue uniformity with the English church and keep the army focused on its godly mission. On top of this, almost all of Edinburgh's ministers were asked at some time or another to preach to parliament, which left their own pulpits vacant.¹⁰⁴ Robert Baillie observed how unsatisfactory this solution was, commenting that 'weake and ill-accomodate countrey preachers' were filling the 'eminent roomes' of Edinburgh's pulpits.¹⁰⁵

The high profile of Edinburgh's ministers in the Covenanting movement created a two-fold problem for the town council. One is hypothetical. It is conceivable that a council floundering in its attempts

¹⁰⁰ *Baillie*, ii, 279. NAS, CC/8/8/61, 9 November 1646. *Lothian and Tweeddale*, p. 178.

¹⁰¹ Furgol, *Covenanting Armies*, 50, 68.

¹⁰² *Commission*, i, 226.

¹⁰³ *Commission*, i, 5, 11–12. *Lothian and Tweeddale*, 130, 203.

¹⁰⁴ See the index of each volume under Bennet, David Dickson, William Colville, Douglas, Gillespie, Hamilton, Robert Laurie, Law, Hugh McKail, John Smith and Robert Trail. George Hutcheson does not appear to have preached in parliament, but he was sent to attend the king. *Commission*, iii, 82.

¹⁰⁵ *Commission*, i, 208, 543. *Baillie*, iii, 56.

to find over £2,000 *per annum* plus housemaills for each minister would be unimpressed that they were paying ministers to neglect their parishes and engage in 'public affairs both at home and abroad'.¹⁰⁶ At the same time, this activity was politicising Edinburgh's clergy.¹⁰⁷ Once again the question arose of what pertained to the spiritual sphere and what was purely the preserve of the secular authorities. This had not been a problem in the early years of the Covenanting revolution when, as indicted, the two roles were essentially complementary. When civil war broke out in the spring of 1644, a mixture of pragmatism in the face of an occupying enemy and a genuine sense that the Covenant's commitment to preserve the king should be prioritised resulted in divided loyalties. The process was further intensified by the ferocious political struggle which preceded the decision to negotiate an Engagement with the king. In the aftermath of the disaster at Preston in August 1648, the palace *coup* which brought to power an extreme radical fraction, dependent on the clergy for support, made it impossible for those who wanted an agreement with the king to sit beside those who believed that Charles could never be trusted to honour the Covenant. It was not simply a case of secular town councillors, who had on the whole supported the Engagement, facing the implacable hostility of a kirk commission which was dominated by the presbytery of Edinburgh. Instead, a significant number of the godly laity, with the vanguard of what would become the Protester movement (see below), found itself in opposition to more moderate men whose consciences, particularly after the execution of Charles I, greatly troubled them.

The origins of this irreconcilable breach lay in the period after Montrose's defeat at Philiphaugh in September 1645. Edinburgh's position had been compromised when Montrose's army had sent envoys to the town after his victory at Kilsyth a month earlier. For doing exactly what a man with a horde of Highland levies at his back had demanded, the provost of that year, John Smith, was brought before the commission, and then his community, to do penance.¹⁰⁸ Radicals on the kirk commission assumed that they would

¹⁰⁶ *Lothian and Tweeddale*, 162.

¹⁰⁷ Makey, *Church of the Covenant*, 59.

¹⁰⁸ *Edin Recs 1641-55*, p. xiii, 73-6, 404-06. *APS*, vi, pt. i, 478. *Baillie*, ii, 345. *Commission*, i, 74.

be instrumental in ridding the country of malignants, and in September 1646 they 'humble' declared an interest in the election of magistrates in two major towns that had been afflicted by Montrose's presence, Aberdeen and Glasgow.¹⁰⁹ By the end of the year, the royalist army had been defeated in England, but the possibility of settling Scotland's divisions was put out of reach again when Charles resigned himself to the Scots. A war-weary political community, racked by doubt and indecision, was seeking to rebuild burnt bridges, not make the chasms even wider. For the kirk commission's lay and clerical members, the prospect of compromise with Charles was anathema. Their idealistic and ultimately unrealistic commitment to the conditions of the 1643 Solemn League and Covenant, which bound the Scots to the English parliamentary cause, was powerfully reiterated in 'the Warning'. Produced in December 1646, it articulates the fears of Charles's opponents in language that is still evocative:

Sathan is neither sleeping nor idle, though he appear not alwayes as a roaring lyon, so these who ar inspired and acted by him have their wheels moving, though sometimes they make no great noise . . . the true Reformed Religion [will] be againe tossed with such another and perhaps a greater tempest in the deepth after we seemed to be neer the harbour.¹¹⁰

The increasing polarisation of opinion regarding the search for a workable settlement in Britain is epitomised by the career of Andrew Ramsay, minister of Edinburgh's north-east parish. Suspensions were aroused when Ramsay 'medled with sum questiones concerning the King' which were deemed to be 'unseasonable' in August 1646. Later in the year, citing the same excuse of 'age and infirmity' which his colleague John Hall had used twenty years previously, he failed to read the Warning from his pulpit at the end of 1646.¹¹¹ Unwilling to allow their detractors an opportunity to exploit divisions, Ramsay was not pursued, although the general assembly was clearly aware that a 'party', consisting of some of his Edinburgh colleagues and including that old thorn in James VI's side, the venerable, incorrigible but somewhat 'untollerable' David Calderwood, was growing

¹⁰⁹ *Commission*, i, 60, 129.

¹¹⁰ *Commission*, i, 148–49.

¹¹¹ *Commission*, i, 158.

around him.¹¹² By the spring of 1648, the kirk commission's strident stance on the Engagement meant it was no longer possible for that body to be an umbrella for diverse opinions. There is at least a suspicion that a minority of radical ministers were desperately trying to limit popular support for the Engagement in the Edinburgh area, by blatantly employing censorship. In May 1648, the synod of Lothian and Tweeddale met and discussed the reading of a declaration on 'present Dangers and Duties'. An act stipulated that those who had 'not read it, or after the reading of it, have put false Glosses upon it, or spoke or preached against it, or shewen their dislike thereof in any way' were to be taken before the general assembly. Moreover, clergy were expected to note 'the Carriage of the people' at the reading, so that parishioners who did not react favourably could also be censured by their presbyteries.¹¹³

It would seem, therefore, that Andrew Ramsay's public 'scruples' may have given voice to a silenced body of the population who thought that the time had come to find a compromise with the king. These concerns were evidently shared by William Colville and Robert Laurie, but their sins were probably ones of omission quickly rectified. At the end of March, Ramsay was hauled before the commission, but he did not come alone. As an interesting juxtaposition to the anti-Engagement activity more commonly associated with Edinburgh around this time, Ramsay appeared with 'a promiscuous multitude' who, reminiscent of October 1637, were led by 'some members of the honourable Court of Parliament'. George, Lord Forrester and the clerk register, Alexander Gibson of Durie, were named.¹¹⁴ As the crowd thronged about the doors of the commission's meeting place in St Giles', it seems that 'threatning expressions' were used against those ministers, Ramsay's colleagues, who were going in to give evidence against him. Andrew Cant complained to parliament and was assured by the chancellor that the government would 'be cairfull to supres al tumultes',¹¹⁵ although no specific action appears to have

¹¹² *Baillie*, iii, 19–21, 34. Baillie had returned to Scotland from London early in 1647.

¹¹³ *Lothian and Tweeddale*, 235.

¹¹⁴ Gibson of Durie lost his office in accordance with the Act of Classes. Forrester attended the parliaments of 1648 and 1649 and the committee of estates in 1649. *APS*, vi, pt. i, 3, 377, 179, 536.

¹¹⁵ NLS, MS.8482, f.56r.

been taken against Forrester and Durie. Ramsay, meanwhile, was probably sent to Edinburgh presbytery, as was Colville, reflecting both the reluctance of the kirk commission to come to a decision and the continued influence of that local court.¹¹⁶

The trial of Charles I, which opened on 20 January 1649, prompted Ramsay, Colville, Laurie and their colleague at North Leith, Andrew Fairfoul, to draw up a supplication demanding that the estates protest against the proceedings. By March, Ramsay had been suspended by the general assembly, but Colville seems to have been a tougher nut to crack, as the revelation that he had been holding meetings at his own home did not come out until June. In July 1649, Ramsay and Colville, ‘ornaments to the church’ according to one who was also under censure, were deprived by the general assembly. Although Laurie was ‘gravely admonished’, he was a younger man with more to lose and thought it prudent to contribute to a translation of the Psalms the following year.¹¹⁷ These experiences may reflect a generational shift. Ramsay was one of only two clergymen left in Edinburgh whose careers in the capital predated the Prayer Book crisis (the other was Henry Rollock, who had a matter of months to live). Many of his colleagues had been cleared out in 1639, when Colville, Douglas and the late Alexander Henderson had come to the capital. The prominent Protester Mungo Law had arrived in Edinburgh in 1644, at around the same time as Laurie, and died before the Restoration forced more difficult decisions on the capital’s ministers. Laurie, who had been Colville’s colleague at the Tron, would survive long enough to become bishop of Brechin.¹¹⁸

These deeply divisive developments did not simply run along lay-clerical lines. Councillors James Stewart and John Smith¹¹⁹ were consistent supporters of ministers like George Gillespie, Robert Douglas and Mungo Law, who believed that the Covenants meant ‘Presbyteriall

¹¹⁶ Investigations into Ramsay, Colville and Laurie can be followed in *Commission*, i. *Baillie*, iii, 63. For anti-Engagement activity, see Chapter Seven.

¹¹⁷ *Commission*, ii, 186, 211, 230, 234, 236–37, 280, 339. *Baillie*, iii, 96. *Memoirs of Henry Guthrie, Late Bishop of Dunkeld . . . From the Year 1637 to the Death of Charles I* (2nd edn, Glasgow, 1748), pp. vii–viii, 279. *Fasti*, i, 70, 126, 134.

¹¹⁸ *Fasti*, i, 126.

¹¹⁹ Not to be confused with the minister of the same name, who was of a different mind.

government' and 'Uniformity' with England.¹²⁰ This finally brought them into direct conflict with moderates like the councillor Archibald Tod, with ministers Ramsay, Colville, Smith and, latterly, David Dickson, who thought that the Covenant was meaningless if God's anointed monarch was not part of it. The unity of the political elite was consequently disrupted by the influence of clergymen whose pulpits could be used to discredit those who did not fit the image of the godly magistrate. As early as 1646, Law and Bennet were allegedly campaigning on behalf of John Smith, who had been elected as provost three times previously.¹²¹ The failure of the Engagement enabled the seizure of government by a radical faction who were heavily dependent on clerical support. As a result, moderates were purged from the town council and ministers who had spoken out in favour of the Engagement were deprived.¹²² For a brief moment in time, the spiritual and temporal spheres were merged together as radical ministers seized the opportunity to complete the godly reformation which had been nearly derailed by malignancy.

A Second Chance for the Second Reformation

After the *coup* of September 1648, Edinburgh's radicals seized the agenda and immediately turned their attention to the provision of parishes. This had become an imperative for practical as well as ideological reasons. Two of Edinburgh's leading ministers, George Gillespie and Alexander Henderson, had died in December 1648 and August 1646 respectively. Colville and Ramsay had been deprived. By May 1647, the death of William Bennet had left Robert Laurie alone at the north-east parish, which would have only one minister until 1649.¹²³ Parish provision was also a means by which the radicals could assert their power. On the same day that Edinburgh's body politic renounced their 'publict sinne' of acceding to the Engagement, the town promised to consult with the committee of

¹²⁰ *Commission*, ii, 141

¹²¹ NAS, GD406/1/2033, 30 Sep 1646.

¹²² *Edin Recs 1642-55*, 170-72.

¹²³ *Fasti*, i, 126, 132. *Lothian and Tweeddale*, 198. Appendix, Table 2.

estates on how to provide for twelve ministers.¹²⁴ Financial problems continued to be a serious hindrance to this aspiration. In order to address this problem, someone mentioned that dreaded word Annuity again. This issue may go some way to explaining why James Stewart was popular with the ministers, but much less so with others, as it was under his provostship that the scheme was revived. It did not, as indicated above, provide the necessary sums, leaving the council still straining to find enough money.¹²⁵

Planting ministers also raised the thorny issue of church patronage, which had proved so contentious in Edinburgh during the early 1620s. It had resurfaced in July 1648, when the failure of the ministry to prevent the implementation of the Engagement (Hamilton was marching for England at that very moment) prompted them to mount a challenge to the town council. Ministers, elders and deacons presented a paper demanding a say in the nomination of new ministers and commissioners to general assemblies, but the council, led by the more moderate Archibald Tod, flatly denied their request. Maintaining that patronage of the kirks 'doeth undowttedlie belong to them', the council punched home the point by adding that they were 'not obleidged to take advyce and consent of the kirk sessionis or any uther persones quhatsoever' in such matters.¹²⁶ The new town council under Stewart showed itself compliant to the wishes of its ministers, by simply ignoring the act on patronage. In November 1648, it allowed the clergy and kirk sessions to advise in the appointment of four new ministers, three of whom duly appeared in the capital.¹²⁷ Having won this seemingly insignificant battle, the commission, in a style not unlike that of James VI, moved to win the war. A proposition was made to eradicate secular control of church patronage altogether and devolve it onto the general assembly alone. Neither the fragile radical faction or their Edinburgh placemen were in a position to resist. It was a marker of Edinburgh's relative decline in political influence that the town council did not expect their par-

¹²⁴ *Edin Recs 1642-55*, 178.

¹²⁵ *Edin Recs 1642-55*, 235. ECA, SL1/17, f.243 points out that by April 1650, the ministers had not been paid 'this half yeir'.

¹²⁶ *Edin Recs 1642-55*, 157. The council subsequently agreed to meet with the committee of the general assembly. ECA, SL1/17, f.22.

¹²⁷ Hugh McKail, George Hutcheson and Robert Traill. James Ferguson never appeared. *Edin Recs 1642-55*, p. 179. *Commission*, ii, 117-18, 240.

liamentary commissioners to be able to lead the other burghs to a rejection of this proposal. They could only 'doe their best for the priviledge of the brugh', but ultimately, if nobody else agreed with them, they would be forced to 'goe alongs with the Parliament'.¹²⁸

By 1650, the commission was pursuing an aggressively ambitious campaign to create a perfect godly society in that most corruptible of environments, Edinburgh. Even before a full complement of clergymen had been planted, a new motion 'for divyding the Toun in ma[r]e congregatiouns and appoynting places for them to preache in' was being foisted on the council. (The latter, if it meant building yet more churches, must have been a particularly distressing idea).¹²⁹ Malignants, sectaries and sinners were pursued with inexhaustible gusto, with particular attention given to 'all the sinne and guilt of the King [Charles II] and of his house'.¹³⁰ To preserve the purity of its agenda, the commission knew that it would have to create a sustainable political profile which would prevent them being circumvented, at some future date, by the committee of estates.¹³¹ This was symbolised by their desire for a 'comodious house' in Edinburgh, where the assembly would have its usual home.¹³² Had it come into being, the general assembly house would have been a pointed reminder that just as parliament had become a permanent feature of the political landscape, so too would the assembly. It would have been a powerful symbol of the two kingdoms, with parliament supporting, but not determining, what went on inside the other house.

The imminence of an English invasion did not draw rival factions together. With the 'voice of a king'¹³³ heard in Scotland once more, and Montrose threatening from the north, the commission spiralled into a paroxysm of paranoia. Amid great acrimony, the church began to split between the moderates, called Resolutioners, and their more

¹²⁸ Wood's footnote to this act is informative on the wider context. *Edin Recs 1642-55*, 190-91.

¹²⁹ *Edin Recs 1642-55*, 232.

¹³⁰ *Commission*, ii, 329, 376. *Commission*, iii, 17, 19, 26-7, 44, 541-42.

¹³¹ Examples of the radical regime's agenda for extirpating sin, witchcraft, purging of the army and visitation of universities can be tracked in *APS*, vi. pt. ii.

¹³² *Edin Recs 1642-55*, 232. *Commission*, ii, 376.

¹³³ J. Burn, 'Memoirs of the Civil War' in *Historical Fragments 1635-1664*, ed. J. Maidment (Edinburgh, 1833), 19.

radical brethren, the Remonstrants and the Protestors. Discord centred around two issues; what to do about Charles II, who had become a patently reluctant signatory of the Covenants, and how to deal with Oliver Cromwell's army.¹³⁴ These disputes had momentous repercussions. Although the Resolutioners had managed to get the kirk commission to allow former supporters of the Engagement and other malignants to re-enter public service, this had not been achieved until after the disaster at Dunbar (3 September 1650). A key factor in the defeat had been the Protestors' total conviction that a small, purged army had to be better than a large, ungodly one. So obsessed were these men with the purification of society, that when Edinburgh was occupied by the English, the commission wrote to the town to warn them that 'these miserable apostates of our owne nation' threatened their souls more than the sectaries.¹³⁵

The political influence of Edinburgh's Protester ministers remained formidable even after the English invasion. More extreme elements on the commission refused to allow the provost, James Stewart, to establish a new town council in September 1650 because it would mean collaboration with 'that blasphemous army'. So there was no council, which arguably made it much easier for Lambert's men to lift anything that could be moved and destroy anything that could not. When a council was restored in March 1652, unnamed Edinburgh ministers campaigned to ensure that their man, James Stewart, was made provost. They were 'not well pleased' when Archibald Tod prevailed.¹³⁶ Horror at the sight of the godly nation being polluted by exposure to those 'seducers', the English, may have prompted Edinburgh ministers John Smith, Mungo Law, Robert Traill and James Hamilton to avoid temptation by incarcerating themselves in the castle. Collaboration certainly occurred, creating a bitter atmosphere in an already divided capital. Archibald Johnstone of Wariston,

¹³⁴ The 'Resolutioners' were named after the 'public resolutions' of December 1650 that supported the use of all possible means to defend against Cromwell's army. The 'Protestors' refused to accept this. They were led by the 'Remonstrants', who had objected to Charles II being able to exercise government before his sincerity to the Covenant had been confirmed. Not all Protestors agreed with the Remonstrants on that point. Stevenson, *Revolution and Counter-Revolution*, ch. 5.

¹³⁵ Stevenson, *Revolution and Counter-Revolution*, 151, 170, 172, 224–26. *Commission*, iii, 240.

¹³⁶ Burns, 'Memoirs', 23.

who had forced another purge on the army just before Dunbar, in the teeth of opposition from the marquis of Argyll, David Dickson, Robert Douglas and Lieutenant General David Leslie, was so afraid of the spread of malignancy that he preferred to deal with Cromwell.¹³⁷ There had been rumours that many in Edinburgh's vicinity, 'corruptit with Englische gold', had given intelligence to the invaders. They were subsequently imprisoned, but when Edinburgh Castle surrendered in December 1650, accusations of 'unnaturel and perfidious treachery' were hurled at the principle actors. The language of the commission, who were the only body left in Edinburgh able to examine the charges, is instructive—treason against 'their mother Kirk' came before their 'native country'.¹³⁸

The end of Covenanted Edinburgh

The conflict between the spiritual realm, made visible by 'mother Kirk', and the earthly or political concerns embodied by 'native country', sums up how Andrew Melville's 'two kingdoms' remained a potent idea in early seventeenth-century Edinburgh. Scotland's reformation had been unique in Europe because a new church had been established without the participation of the monarch, and the need to protect that church from a Catholic queen had necessitated the establishment of the general assembly. Theoretical arguments about two kingdoms stemmed from the knowledge that the power of the civil magistrate could overwhelm that of the church, robbing it of its treasured independence and subjugating it, as was perceived to have happened in England, to the whim of the monarch. The purity of the vision held by men like David Calderwood and his successors was a remarkable thing, but its uncompromising nature meant that inevitably, in order to prevent corruption by politically-motivated laymen, the spiritual sphere had to dominate the civil one. For a brief moment, this happened, but even without an English

¹³⁷ J. Nicoll, *A Diary of Public Transactions and other Occurrences 1650–1667* (Bannatyne Club, 1836), p. 20. Stevenson, *Revolution and Counter-Revolution*, pp. 173–74.

¹³⁸ *Commission*, iii, 378–79, 437–38. Nicoll, *Diary*, 22, 25, 35 (misnumbered as 33), 39 (misnumbered as 37). *Diary of Mr John Lamont of Newton 1647–71* (Maitland Club, 1830), 25.

invasion the situation was unsustainable. There would always be compromises to make, money to be found, disputes to settle. The simple fact was that the civil jurisdiction had earth-bound priorities which the godly could never believe were more important than the future of people's souls.

At local level, these high-minded theories were still pertinent. Edinburgh town council was stocked with religious men who not only saw the usefulness of the work undertaken by ministers and kirk sessions, but wholeheartedly believed in it. David Calderwood's pen paints the provost David Aikenhead as the enemy, because he implemented the king's hated policies, but Aikenhead's testament reveals a deeply pious man who was no less moved by what his God expected of him than the writer who wanted posterity to villify him.¹³⁹ Aikenhead may have been quite happy to have a man of Andrew Cant's evident talent serving in one of the burgh's parishes, but if the king did not agree, there was little the provost could do without sacrificing his political position. Nor did he wish to sacrifice that sense of unity which bonded the ruling elite to each other and to the wider community. The stability of burgh society depended on this, and a David Calderwood would not have disagreed with a David Aikenhead on its importance, only on how it was to be achieved. During the 1620s and 1630s, the Resolutioner-Protester splits were a long way off.¹⁴⁰ Calderwood's friends did not consider their opposition to the Articles to be schismatic and dreamed of bringing the whole community together again as one church. That was the point of the Covenant and in the short term, in Edinburgh at least, it worked.

This vision was, in practice, a little one-sided. Ministers might profess the idea that the civil and ecclesiastical jurisdictions were separate, but if the latter were to be fully supported by the former, they would need appropriate guidance. What this actually meant was that the political agenda had to be modelled on, not simply modified by, God's Word. The problem faced by the church in its ambition to influence the secular powers was the fundamental inequality of the two spheres. The civil sword was always going to be more power-

¹³⁹ NAS, CC8/8/58, 14 Sep 1637.

¹⁴⁰ D. Stevenson, 'The Radical Party in the Kirk, 1637–45' in *Journal of Ecclesiastical History*, xxxv (1974), 163.

ful than the ecclesiastical, and that sword was not always used in ways that the church approved of. Although the church implicitly recognised this weakness, it certainly did not regard itself as a mere adjunct of the secular powers. Kirk sessions could not have operated without the sanction of the town council, but that was not the source of their authority. Their vital and dynamic role rested partly on the status of elders and deacons, who were recognised in this context as devout, pious, conscientious members of the community, called upon to serve in the common good. Like his clerical counterparts, a kirk session member was given his role by God and it was sanctioned by the community—the town council, under pressure from the king, did impose restrictions on session elections, but its members did not become royal placemen and the essential criteria for nomination remained the same as before. The disputes of the 1620s reveal that ministers and kirk session members who forgot their godly calling in order to carry out the king's bidding lost their authority and failed to carry the community with them. Edinburgh's ministers, elders and deacons did exercise power over others, but as servants in a 'department of state', they were not very effective ones.¹⁴¹

The Covenanting revolution seemed to hold out the promise of a fusion between the secular and ecclesiastical realms, which could finally bring the godly society into being. As councillors, ministers and sessioners worked side-by-side to defend the nation and advance the true religion, it was all too easy to blame previous conflict on the bishops and their creatures. This common purpose could not last, because getting rid of the bishops did not solve any of the underlying tensions in the relationship between religious and temporal authority. While the Covenants certainly embodied a particular spiritual vision, they were also an expedient enabling people of many different political complexions to coexist in the same movement. When different interpretations began to emerge, a process of polarisation began that made it increasingly difficult for people to avoid making choices. If the breakdown that occurred from the middle of the 1640s was that much worse than it had been during the

¹⁴¹ Although there are points of agreement, my interpretation should be compared against Goodare, *Government*, 193–95, 305 [quotation].

1620s, it was partly due to the bitter disillusionment of men who had started out with such high expectations.

As Scotland descended into civil war, an increasingly militant minority of ministers, with an even smaller body of the laity, abandoned the all-inclusive idea of the godly society and tried to exclude anyone who did not adhere to their narrow interpretation of the Covenants. The kind of disputes which had bubbled up in Edinburgh during the 1620s boiled over in the 1640s, when the group most concerned about these issues were powerful enough to challenge the town council in a way that had not previously been possible. Particularly in the area of church patronage, ministers were clearly interfering in what the council considered to be their jurisdiction. The difficulties this caused were exacerbated when the radical ministers took this a stage further, and began influencing the political process in the burgh. For town councillors, who had been willing to support the Covenant partly because they wanted to protect the independence of those political processes, the power of the kirk commission after September 1648 was as threatening as the king's had once been.¹⁴²

During the 1650s, the town council's authority was subdued, but it survived by putting the interests of the political community first. This was made possible only by collaboration with an English military regime. In contrast, the divisions generated in the church from the mid-1640s were never healed and Edinburgh, by virtue of being the home of the general assembly and its commission, was at the centre of the storm. The divisions that racked Edinburgh after 1648 were given a powerful symbolical aspect by the ministers' refusal to give the sacrament to their parishioners. Here, the 'not payment' of the ministers' stipends seems to have been as important as 'inward divisiones' in preventing celebration of the communion until 1655.¹⁴³ After 1661, ministers like Dickson, Hamilton and Thomas Garvin would be driven from their pulpits by the resurrection of episcopacy, although many more of their brethren in the presbytery would acquiesce. In the same year, the Covenants were annulled by parliament.

¹⁴² G. DesBrisay, "The Civill Wars Did Overrun All": Aberdeen, 1630–1690', in Dennison, Ditchburn and Lynch (eds), *Aberdeen*, i, p. 262. See Chapter Seven.

¹⁴³ *Edin Recs, 1642–55*, pp. xxxviii–xxxix, 292, 294, 338, 343, 346, 383. Nicoll, *Diary*, 155, 156.

In January 1664, the council was forced to make a declaration that the Covenants had been 'unlawfull and seditious'.¹⁴⁴ Prominent figures sitting on the town council in the early 1660s, such as John Jossie, Edward Edgar, James Stewart, John Denholm, George Suittie and Robert Foulis, had been alive in 1638. They must have subscribed the Covenants. At some stage, they had probably supported what they took to be its aims and some of them had even served in Covenanting government. Yet they may not have regretted its demise. The Covenants continued to inspire idealists for decades to come, but the element which had given them meaning, the co-operation and support of the civil magistrate, could never happen again.

¹⁴⁴ *Edin Recs 1655-65*, 216, 342. *APS*, vii, 18.

CHAPTER THREE

THE BURGH AND ITS POLITICAL ELITE

A Political Elite

In Chapter One, the way in which the town council exercised its authority through a series of committees, often staffed by the same personnel, was systematically assessed. A 'two-tier' system of local government was identified, which on the surface seemed to represent a broader cross-section of the community, but in reality assisted the consolidation of power in the hands of a self-perpetuating mercantile elite. For these privileged few, it was not their wealth but their political influence that defined them.¹ An earlier, unpublished work began to investigate this *crème de la crème* of the Edinburgh political establishment, but set the criterion for inclusion too wide. Four years of service on the council would not have been long enough to put a councillor at the heart of the decision-making process.² This becomes obvious if we consider the career of one Edinburgh provost, Archibald Tod. He became a burgess and guild member twenty-four years before he was made provost for the first time. Here, the political elite have been narrowed down to those who served at least ten times on the council—appearances on a committee were not counted—before the election of 1652. There were twenty such individuals, listed in Table 3.1. Any attempt to pinpoint an elite is bound to be somewhat arbitrary—why not seven years instead of ten? A decade at the top of burgh political life was a convenient benchmark that did indicate a very high level of commitment. Furthermore, the aim here was not to produce a definitive list of individuals, but to use a discreet body of people to describe cultural and social expressions of power. This is an important part of urban life that has hitherto tended to be painted only 'in broad aspect'.³

¹ James Brown's valuable thesis focused on mercantile wealth. Political activity was therefore of secondary importance, 'Edinburgh Merchant Elite', ch. 2.

² McMillan, 'Edinburgh Burgess Community', Appendix 3, 294–95.

³ Lynch, 'Introduction' in Lynch (ed.), *Early Modern Town*, 2.

3.1. Town councillors active for ten years or more, 1616–53

Councillor	Highest position	1st year	Death
Aikenhead, David	provost	1601	1637
Binnie, John	bailie	1634	1653
Blackburn, Peter	dean of guild	1617	1649
Byres, John	bailie	1606	1629
Charteris, Thomas	bailie	1622	1646
Clerk, Alexander	provost	1604	1643
Cochrane, James	bailie	1608	1652
Dick, William	provost	1611	1655
Edgar, Edward	bailie	1625	?1660s
Ellis, James	bailie	1620	1655
Gray, William	provost	1627	1648
McNacht, John	bailie	1606	?1630s
Nisbet, William	provost	1604	1639
Roughhead, James	bailie	1635	1652
Sinclair, John	bailie	1610	?1660s
Smith, John	provost	1626	c. 1677
Suittie, George	dean of guild	1620	?1660s
Tod, Archibald	provost	1622	1656
Uddard, Nicol	bailie	1608	1633
Weir, Thomas	deacon	1607	1646

Sources: *Edin Recs 1589–1603, 1604–26, 1626–41, 1642–55*. ECA, Commissary Court Register of Testaments, Edinburgh. *Register of the Great Seal of Scotland, vol. xi*. J. Brown, *The Epitaphs and Monumental Inscriptions in Edinburgh's Greyfriars Kirkyard* (Edinburgh, 1867).

These individuals represent a body of people whose diligence on the town council gave them a high political profile in Edinburgh. Wealth was certainly an advantage. In 1634, William Dick's tax bill was a staggering 48 times that of the average. In that same year, William Gray paid seventeen times the average, John Smith six times and Thomas Charteris five times. There were other members of the political elite who did not pay these huge sums, however, indicating that comfortable circumstances rather than eye-popping affluence were probably sufficient for a political career. William Nisbet, who had interests outside the burgh, paid slightly over the average tax bill until 1634 and slightly under it until his death in 1639. James Roughhead was by no means the wealthiest of men when he first came to politics, and in 1625 he owed only a little over the average tax of £11. The significant rise in his contributions by the 1630s

hints at the likelihood that entry to the council chamber was as much a business opportunity as a mark of social and political status.

Testaments are a highly unreliable way of measuring wealth, but they do give useful pointers to individual lifestyles. William Gray, knighted as Sir William of Pittendrum, died in 1648 with over 72,000 merks owed to him by numerous nobles and gentry. Gray's money-lending activities were not his sole means of income. He was also a landowner, with substantial volumes of meal, wheat and salmon lying 'in his lofts', and an entrepreneur, who had bought oil for use in an unspecified soap works. James Roughead was also a money-lender, although not quite in Gray's league, who still owned the fourth part of a ship called the 'Mayflower' at his death in 1652. One of the most interesting testaments is that of Margaret Barclay, wife of John Byres, because she died when Byres still had over a decade to live and was at the height of his career. Byres was a busy man, being a conventional international trader, mainly in wine, owner of an eighth part of a ship, and a money-lender whose clients included the town council. A considerable outstanding expense in Barclay's testament related to the recent marriage of her daughter, Rachel, with the Edinburgh minister, Thomas Sydserf; her parents had provided her with an impressive tocher worth £4,000. In contrast, John Binnie, who died in 1653, gave up a relatively modest testament, suggesting that he had managed to arrange his affairs before death. It reveals household goods worth £400 and only three debtors. Taxation records and testaments are not foolproof indicators of a family's wealth, but they do suggest that these men were amongst the more substantial members of burgh society.⁴

One important attribute that is even more difficult to pinpoint than wealth is ability. People who remained politically active year on year might have entered the council chamber because of their wealth and social status, but staying there surely required some measure of aptitude. It seems likely that a successful councillor would have needed to be both literate and numerate, in order to understand the expanding and ever more complicated nature of council business. We have seen that many councillors also served on sub-

⁴ Stewart, 'Politics and Religion', Table 3.2, pp. 64–5. NAS, Edinburgh Commissariat Court Records, Gray of Pittendrum, CC8/8/64; James Roughead, CC8/8/66; Margaret Barclay, CC8/8/49; John Binnie, CC8/8/67.

committees, most of which depended on those with basic accounting skills. The political elite were predominantly leading merchants and would have possessed these attributes. For the bailies and the dean of guild, an understanding of the burgh's laws would have been necessary, and acquiring that knowledge may explain why some of the political elite are to be found doing relatively humble tasks.⁵

Sustained political careers in Scotland's capital would have required something more, however. Leading councillors needed to be able to deal with privy councillors and members of the nobility, perhaps even the king himself. Such men would have had to combine the knack of adopting a demeanour befitting their relative social inferiority, with a determination not to be intimidated when the burgh's interests were at stake. At the same time, a capacity for appreciating the concerns of the common in-dweller must surely have been important, too. While the bulk of the population had no formal political role, this did not mean there was no such thing as popular opinion. The disturbances occasioned by the Prayer Book in 1637 and the excise tax in 1644 were the extreme manifestations of this, and intelligent councillors no doubt listened intently to the gossip in Edinburgh's marketplaces. Most of all, however, a councillor needed the respect of his peer group. Above all, it was their political and economic interests that had to be protected. James Stewart and John Hay, for example, were certainly politically important, but they remained outsiders. Neither came from mercantile families,⁶ making close ties to the regime of the day seem as if their provostships were of more benefit to the government than the town. A contrast can be made with Alexander Clerk or William Dick. If both owed their advancement to an ideological affinity with a particular regime, they were also undeniably of Edinburgh merchant stock and their abilities had been proved over long years of service to the council. It was this latter feature, more than anything else, that marked out the political elite from their rivals.

⁵ See Chapter One.

⁶ Hay was a relation of Archbishop Spottiswoode, while Stewart was related by both blood and marriage to Edinburgh's leading legal families. J.A. Inglis, 'Sir John Hay, the "Incendiary"', *SHR*, xv (1918). *The Coltness Collections*, ed. J. Denniston (Maitland Club, 1842).

A Capital on Display

Most members of the elite, by virtue of Edinburgh's status as the capital, became public figures who were expected to be able to operate outside the confines of local politics. Such opportunities were not as abundant under royal regimes as they would be under the Covenanters, but Edinburgh, and the royal burghs generally, nonetheless possessed a historic political profile that could not be matched by English provincial towns.⁷ Scottish urban communities had their own unique forum, the convention of royal burghs, which met about four times a year during the 1620s. This convention was usually held in Edinburgh, its moderator was more often than not an Edinburgh merchant, and if consultations with the privy council were required, Edinburgh led the delegation.⁸ Such periodic consultations focused on economic issues, such as the commission for setting up a fishing company in 1631, or the work being carried out by the teinds commission in 1628,⁹ although merchants were almost certainly present in an advisory, rather than decision-making, capacity. As a parliamentary estate in their own right, all the royal burghs were entitled to send commissioners to meetings, but Edinburgh was the only burgh that could send two. This suggested that the capital was expected to represent urban interests generally, not just the town's agenda. While Edinburgh's political weight at Court probably exceeded that of England's leading regional centres, it is apparent that almost all of the town's collective energies were concentrated on maintaining its premier economic status within Scotland. Even on those occasions when the Court invaded Scottish politics, the town council (to the bewilderment of Charles I) remained dominated by its need to prioritise Edinburgh's local interests.

This mentality is evident in the way in which the town council related to the absent monarch. In theory, Edinburgh's position might appear precarious. Its prosperity rested on continuing to attract the nobility to spend time (and money) in the burgh, for their presence generated a highly profitable demand for goods which the urban

⁷ Patterson, 'Conflict Resolution and Patronage', 3–5.

⁸ See Chapter Four.

⁹ Thomas Charteris, Alexander Clerk and John Smith were involved in the fishing scheme. *APS*, v, 223, 227, 228, 230, 239, 240. John Sinclair, John McNacht, Archibald Tod and George Suittie were involved in the teinds commission. *APS*, v, 37, 195.

community were only too happy to service. After 1603, Edinburgh was competing against the bright lights of London, and inevitably, some nobles were drawn southwards, but Edinburgh did not become 'an abandoned town'. Court life was expensive and in the scramble for spoils there was no guarantee that the rewards would be worth the cost. With the principal organs of national government still in Edinburgh, powerful men often found that their public and private business could more readily be conducted in the northern capital. While nobles and gentlemen probably preferred to rent rather than buy property in Edinburgh itself, the garden suburb of the Canongate retained landed residents who wanted to be within easy distance of lawyers, merchants and the privy council, without actually having to endure the cramped conditions of the capital.¹⁰ Others maintained links with Edinburgh even if they did not reside there. The Campbell family at Glenorchy were almost certainly not alone in seeing Edinburgh merchants as a useful source of gossip and rumour, as well as luxury goods.¹¹ So while some of the glitter inevitably rubbed off the capital when the Court headed south, Edinburgh's prosperity was still protected by a very influential lobby—the Scottish nobility and gentry, who came to Edinburgh to borrow money, advise with lawyers, attend the privy council or court of session, purchase exotic merchandise, and meet with friends or family to discuss the issues of the day.

Although the Scottish monarch now lived hundreds of miles from his northern capital, Edinburgh was happy to conduct its affairs through the privy council and little effort was put into superfluous jaunts southward. During the 1620s, correspondence was plentiful, but visits to Court were rare, as Edinburgh clearly felt no need to bother explaining itself through a person when a cheaper letter would suffice. It perhaps says something about the different styles of the first two kings of Britain that while James deluged Scotland with mail, Charles was more restrained and Edinburgh frequently considered

¹⁰ E. Patricia Dennison and M. Lynch, 'Crown, Capital and Metropolis. Edinburgh and Canongate: The Rise of a Capital and an Urban Court' in *Journal of Urban History* (2005). I am grateful to E.P. Dennison and Michael Lynch for allowing me to read an advance copy of this article. C.B. Boog Watson, 'Owners of Property in Edinburgh, 1635', *BOEC*, xiii (1924), 96–145.

¹¹ NAS, Breadalbane Muniments, GD112/39/67/6, GD112/39/64/18, GD112/39/79/7–9. John Smith, William Gray and David Jenkin were all corresponding with the Campbells of Glenorchy in the later 1630s. For other noble links to the capital, see Brown, *Noble Society*, 85, 87–8, 91, 94, 101, 204.

it more prudent to send a personal envoy. Few references exist from the last decade of James's life showing any representatives of the capital visiting the Court; the exception dates from the middle of 1622, when Mr John Hay, town clerk, was sent to Court with £1,000 in his pocket. This may have been related to the economic problems which beset Scotland at this time.¹² With the accession of the new king, Edinburgh was obviously keen to secure good relations. The town received a commissioner from the king in February 1626, and John Hay was sent again to London in May. Hay's consultation with an advocate on 'sundry thingis' before he departed implies that all was not entirely well; the town clerk was in London during April 1628, and may have been joined by his deputy, Mr Alexander Guthry. He was there again in July 1629. There were two visits in 1630, in March and December (or perhaps one prolonged trip) when Hay was busy in 'the town's effairis and pairtlie in the borrowis effairis', and another in June 1632.¹³ These trips cost the burgh thousands of pounds, but the political elite presumably made the investment because they believed only a personal audience with the king would achieve results.

When monarchs actually came to Scotland, a little more effort and expense was required. Hospitality exemplified a reciprocal relationship between the powerful patron, and the beneficiaries of largesse. The lavish festivities which the town council engineered were intended to reflect the king's attributes; if Edinburgh was to secure future benefits for itself, then it was imperative that its leading inhabitants were visibly seen to be leading the rest of the community they governed in gratuitous displays of loyalty. It took well over a decade for James VI's 'salmon-like' instinct to manifest itself, but when it did, the committee formed to consult on 'the ordour to be observed for intertenement of his Majestie within this burgh' was led by three members of the political elite. Alexander Clerk and David Aikenhead would serve as provosts in the future and Nicol Uddard was the son of one.¹⁴ Aikenhead was also nominated as one of the 'undoubtit

¹² ECA, Town Treasurer, iv, 1088. Famine occurred between 1621–24, but there was also a lack of coin, which linked into the debate about grain exports. See Stewart, 'Poor Relief in Edinburgh'.

¹³ ECA, Town Treasurer, v, 246–51, 457–60, 548–49, 653–54, 756–57, 857, 1183–84.

¹⁴ *Edin Recs 1604–26*, 156.

and irrevocable procuratoris and commissioneris' sent to the king to discuss the burgh's affairs.¹⁵ Provost William Nisbet's brother, Patrick, gave the speech on behalf of the college when the king actually arrived. William had been a trade envoy for the king in 1612 and was knighted by James during his visit.

Similarly, in 1628, 1631 and 1633, when committees were formed to discuss the coronation of Charles I in his native kingdom, those who served most assiduously on the town council were prominent.¹⁶ As with many of the council's other projects, the presence of influential merchants was required in order to provide financial backing. In 1628, plans were sufficiently advanced for the council to erect a temporary banqueting house and theatrical stages at the West Port, Tolbooth and Netherbow. A traditional Scottish welcome would naturally involve voluminous quantities of alcohol, which along with the glassware, cost the town £9,933 9s 10d. The council even splashed out on a fresh coat of paint for the town's major buildings.¹⁷ Charles did not appear that year, apparently because his own coffers could not sustain the charge, but Edinburgh town council were loathe to see their efforts go to waste. It was decided that the banqueting house would be maintained, even if they had to expend yet more sums guarding it from thieves.¹⁸

Charles's actual arrival was far more expensive than his non-appearance, and not just in financial terms; an anonymous commentator claimed that Charles made such heavy weather of his public relations that many 'wissit his m[ajesty] had not cume heir'.¹⁹ The pageantry which greeted the king on his arrival was probably the most lavish ever staged in the town. Its focus on Edinburgh's place within an ancient tradition of Scottish cultural endeavour, rather than its capital status, was no doubt intended to flatter a native king, although the many elements borrowed from the 1617 pageant may have been better appreciated by James than Charles.²⁰ The total cost

¹⁵ The others were the deputy clerk, Mr John Hay and William Nemock, deacon of the tailors. *Edin Recs 1604–26*, 161–62.

¹⁶ *Edin Recs 1626–41*, 46, 100, 118.

¹⁷ ECA, Town Treasurer, v, 509–15, 601–18.

¹⁸ HMC, *Report on the Manuscripts of the Earls of Mar and Kellie*, ed. H. Paton (2 vols, London, 1904), i, 168. ECA, Town Treasurer, v, 663–77.

¹⁹ NLS, Wod.Qu.IX, f. 340r.

²⁰ E. McGrath, 'Local Heroes: The Scottish Humanist Parnassus for Charles I' in E. Chaney and P. Mack (eds), *England and the Continental Renaissance: Essays in honour of J.B. Trapp* (Woodbridge, 1990), 259–61, 269–70.

of the coronation visit for the town of Edinburgh was £41,489 7s, some of which was borrowed from the political elite. Relatively small amounts were borrowed from Thomas Charteris and eleven other merchants for 'the actoris and otheris' who took part in the pageants. John McNacht and Alexander Clerk were amongst those who loaned large sums to the council in order to pay for the festivities in 1633, although nearly one-quarter of the town's needs were supplied by several Edinburgh merchants based in London.²¹ The delayed coronation was more than just a diplomatic pleasantry, however, as the town was also negotiating the payment of the king's 'two extraordinary taxatiounes'. The current provost, Alexander Clerk, a known conformer to royal policy, was accompanied by John Sinclair and William Gray; the latter was sent to London for further discussions in 1634. William Dick was also included, no doubt because both sides were interested in his phenomenal financial resources; his money lending clientele included both Charles and his father.²²

There were other, less prestigious, occasions when the town council as a corporate body employed official hospitality to lubricate their political relationships. The relative absence of such events throughout the 1610s and 1620s might suggest that Edinburgh was a marginalised provincial town, but there is another way to read this. The Scottish capital was arguably within the field of influence pertaining directly to the monarch, despite the geographical distance. Crucially, Edinburgh was also the seat of the Scottish privy council, and consequently, the town had little need for the kind of aristocratic friends which places like York or Exeter required in order to have their agendas addressed at Court.²³ As a consequence, hospitality tended to reflect Edinburgh's importance as a patron in its own right, rather than any need to cultivate Court figures. The playwright Ben Jonson was received by the council in September 1618, and apparently became a friend of the provost, William Nisbet, but this was an exceptional event which hints at Jonson's own connections with the

²¹ BL, Add.Ms. 40, 885, Loch Family Papers, 1–32. ECA, Town Treasurer, v, 936–37.

²² *RPCS*, 1st ser., v, 107. Calderwood, *History*, vii, 488. BL, Add.Ms. 23, 116, Lauderdale Papers, iv, 48. *Edin Recs 1626–41*, 128, 318–19.

²³ C.F. Patterson, *Urban Patronage in Early Modern England: Corporate Burghs, the Landed Elite and the Crown 1580–1640* (California, 1999), 6–7, 23–25, 27–29.

Scottish literary scene.²⁴ Occasions for festivities were more commonly centred on the translation of a new minister to the burgh. When Mr Alexander Thomson was admitted to the north-west parish in September 1626, a 'denner' costing £174 6s was held in his honour, attended by the 'bischoipis provest bailleis and ministeris'. Earlier in the year, John Murray, 1st earl of Annandale had been wined and dined for £212 12s 2d, but there would not be another such occasion until John Smith, then bailie, hosted a dinner for William Graham, earl of Strathearn (formerly Menteith) and William Keith, 6th Earl Marischal, in 1631 or 1632.²⁵

From the mid-1630s Edinburgh was on a public relations drive that may have been related to religious tensions in the capital, but also reveals how the political world had become more exclusively Court-centred in the wake of Charles's accession.²⁶ In the summer of 1633, Charles's refusal to acknowledge deep concerns about the use of Anglican forms of worship, culminating in the farcical trial of John Elphinstone, 2nd Lord Balmerino, had given new impetus to the nonconformist campaign.²⁷ Worried town councillors may have been using their hospitality budget to demonstrate that Edinburgh intended to comply with the king's wishes. The banquet which was held for Mr William Forbes, the first bishop of Edinburgh, and the dean, Mr Thomas Sydserf, in February 1634, must have been a lavish one, as it cost the town council nearly £400. When Forbes died prematurely (although in the eyes of the nonconformists, not before time),²⁸ the whole rigmarole had to be gone through again. Nearly £500 was spent by the council on entertainment at Sir Andrew Hamilton of Redhouse's abode, when Mr James Hannay was admitted

²⁴ ECA, Town Treasurer, iv, 595–98. J. Geddie, 'Sculptured Stones of Old Edinburgh: The Dean Group', *BOEC*, i (1908), 106. *The Biographical Dictionary of Eminent Scotsmen*, ed. T. Thomson (5 vols, new edn, London, 1864), i, 83.

²⁵ ECA, Town Treasurer, v, 246–51, 858–61.

²⁶ Patterson, *Urban Patronage*, 34.

²⁷ Balmerino was found to be in possession of a petition which a group opposed to the king's religious policies had hoped to present to the 1633 parliament. Balmerino was put on trial in June 1634 for lease-making and convicted, with John Stewart, earl of Traquair, casting the deciding vote. He was subsequently pardoned by the king. The trial was extremely unpopular in Edinburgh. Macinnes, *Covenanting Movement*, 138–41. NLS, Wod.Fo.IX, ff. 358–59.

²⁸ At least two pamphlets were produced around this time complaining about bishoprics in general and Forbes in particular. See 'To My Reverend Brether of the Ministrie of this New Doices' [*sic*] and 'The Reconceiler' in NLS, Wod.Qu. LXXXIV. See Chapter Five.

as the new dean. Everyone of political significance in Scotland was on the guest list.²⁹

Edinburgh may also have been investing in an insurance policy through its cultivation of powerful men. A dinner was held for James, 3rd marquis of Hamilton and other nobles in December 1633, just as Charles's plans for a bishopric in the capital were being put into effect. On subsequent occasions, Edinburgh sought the 'favour and assistance' of the 3rd marquis, and in so doing, would remind the son that his father had also regarded the burgh with 'affection'.³⁰ The town council were quick to recognise who had influence with the king, so it is no surprise to find them seeking the intercession of the new archbishop of Canterbury, William Laud, in 1633. They were engaged in complex legal dealings relating to the estate of the deceased George Heriot, whose legacy became the foundation of a hospital for educating and maintaining the orphaned children of former burgesses. Work was being held up, in part, by a debt owed to Heriot by the king. Laud first appears to have been approached by the town council to act as an intercessor on their behalf in October 1633, when the archbishop took the opportunity to thank the council for their kindness to him during the king's visit earlier that year. The case shows that patience with the slowness of royal business did not always yield results. Laud's correspondence on this issue breaks off in May 1635, when the archbishop confessed that, despite his efforts, 'I have not been able to doe you the good I intended'.³¹

These examples demonstrate how Edinburgh town council used the good offices of powerful men in order to sustain Edinburgh's profile in a wider political arena. Prior to the Union, foreign ambassadors had been known to brave the North Sea to attend the Court in Scotland, but this ceased once the monarch was based in London. Some of this need to show Edinburgh as a capital, not just the provincial centre of a relegated region of Britain, was bound up in

²⁹ Redhouse was a senator of the college of justice, sometime privy councillor and brother of Thomas Hamilton, earl of Haddington, privy seal. Chancellor Kinnoul, Clerk Register Hay, a number of other nobles, the magistrates, some of the town council, the bishops and the town ministry were all in attendance. *Senators of the College of Justice*, ed. G. Brunton and D. Haig (Edinburgh, 1832), 246. ECA, Town Treasurer, v, 1014–15.

³⁰ NAS, Hamilton Muniments, GD406/1/286, 1 Apr 1634; GD406/1/389, 19 Oct 1637.

³¹ NAS, George Heriot's Trust, GD421/1/6/33, 36–41, 46, 49 [quotation].

the town's bid to build a parliament and session house. For the Scottish political elite, the growth in numbers attending parliament made a custom-built space that was capable of accommodating everyone highly desirable. If at this stage Charles I was already contemplating turning St Giles' into a cathedral, the divorce of the new Tolbooth from the south-west corner of the church would make the need all the more pressing. For the town council, securing Edinburgh as the only feasible place where parliaments could be held was perhaps not as important as providing suitable accommodation for the judiciary and the privy council. Money was another matter, however, and the sheer expense of a project which had initially included a second building for the privy council (subsequently abandoned) was straining the burgh's financial resources.³² In March 1632, subscription books were opened to raise a voluntary contribution for the building of the house and it is no surprise to find that all twenty of the political elite were at the forefront of the enterprise, with some contributing the largest donations. William Gray and William Dick pledged exceptional amounts, both in excess of £1,000. Alexander Clerk, James Cochrane, Archibald Tod and Nicol Uddard not only gave large amounts, but were encouraged to repeat their generosity in April 1633, when it became apparent that the project would exceed its budget.³³ Peter Blackburn provided another substantial loan in November 1635.³⁴ Having contributed such large amounts of money, several of the elite also wanted to have some say in where that cash was going. When a committee was set up that same month to 'tak sum beginning' in the task, the ubiquitous Nicol Uddard was there, along with James Cochrane, George Suittie and John Sinclair.³⁵

Not all of the 578 voluntary contributors were members of the political elite, or even their friends. George Nicoll was a cook who might, if he was showing off, call himself a neighbour of William Dick's. The £10 he handed over was probably quite a significant sum to him, although it was a mere drop in the rising ocean of cash needed to finish the parliament house.³⁶ Nicoll would have had a

³² Hannay and Watson, 'Building of the Parliament House', 17–19.

³³ ECA, SL1/14, p. 527. ECA, Parliament House Accounts, 1633–40.

³⁴ Very large sums were borrowed to complete the parliament house, but the records do not always make it clear where they came from. ECA, Town Treasurer, v, 1174. *Edin Recs 1626–41*, 169, 183.

³⁵ *Edin Recs 1626–41*, 108.

³⁶ ECA, Parliament House, north-west quarter.

very slim chance of ever seeing the inside of the building he had helped to pay for. Assuming he was not just someone with an exaggerated sense of pride in his home town, this was a gesture reflecting social aspiration. He wanted to be able to claim that he was a fringe member of a very particular set of people, the rich, influential people, who built grand houses, wore expensive garments and consorted with nobles. Someone like Nicoll may have contributed to the parliament house project because he was highly aware that as a man with a little spare capital, he was unrepresentative of the bulk of Edinburgh's inhabitants. Such men may have been self-consciously using ostentatious acts of generosity to mark themselves out from the multitudes. In this, they emulated the actions and styles of Edinburgh's political elite.

The parliament house is a good example of an expensive and prestigious project which the political elite of Edinburgh involved themselves in as a means of reinforcing their social superiority. For those directly associated with its construction, most notably the treasurers responsible for the complicated accounts, it was a time-consuming task. While some of the political elite did act as collectors of the voluntary contributions,³⁷ their role was primarily to give some much-needed financial and political influence. This was an enterprise which symbolically united the burghs with the other estates of the realm under a single purpose-built roof. It also confirmed Edinburgh's status as the capital of the northern kingdom and reduced the possibility that parliament would be held elsewhere. If there was a desire to establish Edinburgh as a sister-capital to London, there was also an awareness of what the parliament house would signify to the burgh community. It graphically showed Edinburgh's contribution to and participation in a wider political and constitutional world, which in turn underpinned the status of those who governed Edinburgh itself. There is no record of what the vast majority of people, who neither paid for it nor ever went inside it, thought of the whole project. For the few who did pay for it, and the fewer who represented the burgh within it, this was not merely a fine building to show off Edinburgh's wealth. The parliament house was a representation of oligarchy in action, a reminder that financial dominance not only justified political influence, but also perpetuated it.

³⁷ ECA, Parliament House.

Social Connections

Political careers required more than wealth alone. The right connections were also an imperative. If an ambitious man could not rely on his father, uncles or cousins to advance his status, he would have to find in-laws who could do the job instead. Chapter One described the considerable restrictions which existed on council membership, but even once someone was admitted, remaining there was also partly dictated by a man's background, who he married, and who he counted as friends. Some were born to the council chamber. William Nisbet and Nicol Uddard had the best credentials of all—their fathers were both provosts of Edinburgh. Others came from families accustomed to council service. Thomas Charteris, Alexander Clerk, James Cochrane and Thomas Weir all followed in their fathers' footsteps; in the case of Charteris and Uddard, the council connection could be traced to their grandfathers. David Aikenhead was the son of a merchant, but two of his uncles both acted for the king's party during the Marian civil war. These were men who had cut their political teeth in the turbulent world of Marian and early Jacobean Edinburgh. Their descendants were born into an existing social network which gave them an advantage over other less well-connected rivals,³⁸ and enabled the establishment of a political profile which transcended the relative instability of mercantile wealth.³⁹ Yet there were others who did not have such auspicious beginnings. How did they become members of the political elite?

As Brown has pointed out, the town council was oligarchic, but it was not 'a closed patriciate'.⁴⁰ Certain individuals were able to cultivate the select group of people who were in a position to nominate them as new members of the council. James Roughead was not even a gild member until he married into the Trotter family. Thereafter his political career seemed indestructible; despite very public support of Charles I's unpopular religious policies, Roughead

³⁸ Wood, *Lord Provosts*, 30, 34. Lynch, *Edinburgh*, 295, 346, 310, 372, Appendix I. *Edinburgh Burgesses*, see individual surnames.

³⁹ McMillan believed that the 'size and fluidity of the Edinburgh merchant community prevented any families from dominating affairs of trade or council', but the evidence presented here suggests the existence of a core group of families with an established tradition of council service. McMillan, 'Edinburgh Burgess Community', 139–40, 149.

⁴⁰ Brown, 'Edinburgh Merchant Elite', 38.

served on the council for most of the 1640s, took possession of the lands of the Craigs of Inverleith, allied himself with the radical regime which took power in the autumn of 1648, but avoided subsequent embarrassment by dying before the town council could reconvene after the English invasion.⁴¹ An even more striking example is William Dick. He was an adventurous speculator whose father had come from Orkney. His son, John, acted as sheriff-depute there during the 1620s.⁴² Although William Dick's father had been a town councillor in the 1590s, it was his marriage to the sister of a prominent merchant and councillor, Henry Morrison, which moved him into a higher social circle. With access to a network of merchants involved in a myriad of business ventures, Dick was able to accumulate the huge fortune which would propel him into the front rank of the Edinburgh political community.⁴³ Having entered this exclusive political and commercial world, Dick was himself in a position to patronise other men. His factor, John Jossie, married his wife's niece and went on to serve the Covenanting regime.⁴⁴ Jossie, despite close involvement with the precarious finances of the Covenanting regime, seems to have survived the 1640s better than Dick, whose vast wealth was destroyed within his lifetime. Successive generations of the Dick family were left to tidy up the mess, even into the next century.⁴⁵ Although Dick's case was spectacular, it raises the point that political longevity rested on more than wealth alone.

A closer look at the Nisbet family confirms this. Its members were related to that other dynastic powerhouse, the Uddards. A complicated web of intermarriage traced a current Uddard to an Edinburgh-based

⁴¹ Young, *Scottish Parliament*, 215, 291. G. Dalgleish, 'Trinity College Church, Edinburgh: Communion and Baptismal Plate, 1632–1698' (unpublished article), 4, 9, 10–11. The article claims that Routhead was knighted but there is no evidence of this in any of the sources cited here. He did take possession of the lands of the Craig of Inverleith. I am grateful to George Dalgleish, curator at the Museum of Scotland, for giving me a copy of this work. *Edinburgh Burgesses*, 428. *APS*, vi, pt. ii, 187, 291, 723. *RMS*, ix, no. 626. The Craig of Inverleith with its stone quarry was resigned by William Nisbet's son in 1646.

⁴² H.S. Hewison, *Who was Who in Orkney* (Kirkwall, 1998), 35–6.

⁴³ Lynch, 'Introduction' in Lynch (ed.), *Early Modern Town*, 16. Goodare, *State and Society*, 92. Geddie, 'The Dean Group', 102. Brown, 'Edinburgh Merchant Elite', Appendix, 429.

⁴⁴ J. Turnbull, *The Scottish Glass Industry 1610–1750* (Society of Antiquaries of Scotland Monographs, 2001), 110. Young, *Scottish Parliament*, 210, 302, 307. Brown, 'Edinburgh Merchant Elite', 210–12.

⁴⁵ BL, Add.Ms. 23, 116, iv, 48–50. *APS*, xi, Appendix, 136–37.

Nisbet described as 'merchant to James V'. A more recent connection tied William Nisbet's grandmother to Nicol Uddard's brother-in-law's great-great-grandfather. The Nisbets were also related by marriage to the Bannatynes, one of the capital's most prominent families, and to George Foulis, goldsmith and master of the mint, who was married to Janet Bannatyne.⁴⁶ Closer ties with the legal profession existed, the closest of all being William's brother, Patrick, Lord Eastbank, a senator of the college of justice. Another brother, James, had married Marion, the daughter of a provost, Sir John Arnot of Birswick. Marion Arnot was the sister of Rachel Arnot, well-known in nonconforming circles and grandmother of Archibald Johnston of Wariston. After her husband's death, Marion married Sir Lewis Stewart of Kirkhill, a member of the faculty of advocates who acted as an assessor for the burgh.⁴⁷ Both Marion's mother and her nephew were related by marriage to Thomas Craig of Riccarton. Marion's niece, Janet, married Sir James Skene of Curriehill, a president of the court of session who got into trouble for refusing to kneel at communion, reputedly at his wife's behest.⁴⁸ With such connections, William Nisbet predictably became an outspoken critic of royal religious policy, whose social pre-eminence also protected him from the worst of the king's wrath. (Would Nisbet's 'royalist sympathiser' father have approved?).⁴⁹ Nisbet then consolidated this impressive family pedigree by taking William Dick's daughter, Katherine, as his second (and presumably very young) wife.⁵⁰

⁴⁶ Foulis's grandfathers were George Bannatyne and George Heriot, elder, the father of 'Jinglin' Geordie'. His uncle was Thomas Foulis, financier to James VI and I during the 1590s. T. van Heijnsbergen, 'The Interaction between Literature and History in Queen Mary's Edinburgh: The Bannatyne Manuscript and its Prosopographical Context' in A.A. MacDonald, M. Lynch and I.B. Cowan (eds), *The Renaissance in Scotland: Studies in Literature, Religion, History and Culture* (Leiden, New York and Köln, 1994), 217–20, 225. J. Goodare, 'Thomas Foulis and the Scottish Fiscal Crisis of the 1590s' in W.M. Ormrod, M. Bonney and R. Bonney (eds), *Crises, Revolutions and Self-Sustained Growth: Essay in European Fiscal History* (Stamford, 1999), 193. *Edinburgh Burgesses*, 191.

⁴⁷ Geddie, 'The Dean Group', 93–4, 109. *Lord Provosts*, 30, 34. ECA, Town Treasurer, iv, 590. *The Faculty of Advocates, 1532–1943*, ed. F.J. Grant (SRS, 1944), 201, 295. ECA, Moses Bundle 4, no. 156.

⁴⁸ Geddie, 'The Dean Group', 94–5. *College of Justice*, 253. Calderwood, *History*, vii, 359, 383.

⁴⁹ A. Hope, *Sir Thomas Hope, Lord Advocate* (The Society of Friends of the Kirk of the Greyfriars, Edinburgh, 1998), 1.

⁵⁰ *Register of Marriages for the Parish of Edinburgh, 1595–1700*, ed. H. Paton (SRS, 1905), see under Dick. Geddie, 'The Dean Group', 92, 102, 105–6.

Nisbet is a particularly good example, because his family was connected not only to the mercantile and legal elite of Edinburgh, but also to a network of local gentry. Some blurring of the lines between mercantile, legal and gentry families has parallels in other burghs.⁵¹ For most of the political elite, however, their social networks were dominated by merchant families. There appears to have been little attempt by merchants to infiltrate the local landed gentry, but this is probably not surprising. Edinburgh was the pre-eminent urban community in Scotland. Those who were part of its upper echelons found sufficient advantage in allying themselves with those who could further their political or commercial ambitions within that community. One of the most obvious ways to do so was through marriage. Those from established merchant families may have been interested in expanding their interests or consolidating their existing social position. Nicol Uddard's first wife was Katherine Balcanquhal, who appears to have been related to Mr Walter Balcanquhal, the ambitious dean of Rochester.⁵² Thomas Charteris allied himself with two prominent families, by marrying firstly Agnes Byres, daughter of John, and after her death in 1632, a daughter of Nicol Uddard. Further connections were made in the next generation when Charteris' son married one of David Aikenhead's daughters. Another of Aikenhead's daughters linked him to John Smith, who married his son Robert, while Smith's sister Agnes became the second wife of John Byres.⁵³ Smith was also related to William Gray (Sir William of Pittendrum) through the latter's marriage to another of his sisters.⁵⁴ Gray's daughter Agnes was married Sir Archibald Primrose of Carrington, a second cousin of Marion Primrose, who took Alexander Clerk (Sir Alexander of Pittencrieff) as her second husband.⁵⁵ These relationships show that the Edinburgh political elite

⁵¹ M. Lynch and H. Dingwall, 'Elite Society in Town and Country', in Dennison, Ditchburn and Lynch (eds), *Aberdeen*, i, 190–91.

⁵² Balcanquhal was executor of Katherine's estate when she died in 1616. NAS, CC8/8/49, 20 Dec 1616. *Fasti*, i, 125–6. *Edin Recs 1626–41*, 27.

⁵³ *Edinburgh Marriages*, see under Byres. Geddie, 'Sculptured Stones of Old Edinburgh: West-End and Dalry Groups', *BOEC*, ii (1909), 136. NAS, CC8/8/55, 4 Feb 1632. CC8/8/49, 17 Apr 1616. Charteris is described as nearest kin to Mr Robert Byres on his father's side. Gray and Smith are described as his nearest kin on his mother's side, but the exact relationship is not specified. ECA, Burgh Court Register of Decrees, xi, 19 Oct 1639.

⁵⁴ *Edinburgh Marriages*, see under Gray. T.B. Whitson, 'Lady Stair's House' in *BOEC*, iii (1910), 244–46.

⁵⁵ *Scots Peerage*, vii, 213, 218, 219.

were a close-knit group of individuals whose marriages to the sisters or daughters of their friends reinforced their social cohesiveness.

There were men who chose to marry outwith the Edinburgh elite. John Byres' first wife was Margaret Barclay, who apparently came from Aberdeenshire, although he chose as his second bride, Agnes, sister of John Smith.⁵⁶ John Binnie's wife was called Isobel Horn, about whom nothing is known. Nonetheless, the prevailing picture is of a group of people whose exposure to each other through council membership, trading ventures or commercial activities encouraged inter-marriage. Merchant families could then consolidate their social aspirations by ensuring their children made advantageous unions. Mr Robert Byres, son of John, maintained the family's links with Edinburgh's merchant community by marrying the daughter of David Aikenhead. Rachel Byres, daughter of John, married the Edinburgh minister Mr Thomas Sydserf, who as bishop of Galloway lost his see in 1638, but was eventually rewarded for longevity with the bishopric of Orkney in 1662.⁵⁷ Sir William Gray's descent from the 2nd Lord Gray may have given him aristocratic aspirations. His eldest son married Anne, eldest surviving child of Andrew, 7th Lord Gray. A granddaughter became Lady Stair after marrying John Dalrymple, 1st earl of Stair, and his grandson Archibald Primrose, the son of the above-mentioned Agnes, became 1st earl of Rosebery.⁵⁸ Another daughter, Mary, married the John Clerk who founded the Penicuik branch of that family.⁵⁹ A daughter of Nicol Uddard married into the prolific and politically influential Ellis family. Their daughter, grand-daughter of Uddard and niece of James Ellis, married John Lauder, whose son founded the legal dynasty of Fountainhall.⁶⁰

⁵⁶ Geddie, 'West-End and Dalry Groups', 135.

⁵⁷ Geddie, 'West-End and Dalry Groups', 136. *Fasti*, i, 54, 56, 126.

⁵⁸ *Scots Peerage*, vii, 219, 221.

⁵⁹ Whitson, 'Lady Stair's House', 244–46. J. Geddie, 'The Sculptured Stones of Edinburgh: Wrychtis-housis', in *BOEC*, iv (1911), 59.

⁶⁰ J. Geddie, 'The Sculptured Stones of Edinburgh: Miscellaneous', *BOEC*, iii (1910), 197–99. Geddie, 'The Dean Group', 85. J. Smith, 'Easter and Wester Crofts of Bristo', *BOEC*, xxii (1938), 59. *Scots Peerage*, iv, 286–88.

Land and Property

During the early part of the seventeenth century careful marriage alliances, coupled with increased opportunities in trade and commerce, appear to have enhanced both the wealth and status of Edinburgh's leading families. This period witnessed the growth of an urban social elite, who strengthened their position through links with lairdly, legal or clerical families. In response to this development, some of the political elite began to acquire properties and lands that reflected their wealth while enhancing their social status. Within the burgh, many of these men and their peers purchased multiple properties which they subsequently rented out. Such investments reflected a new level of prosperity amongst the most successful merchants and craftsmen, who were able to make their profits from traditional sources generate even greater wealth.⁶¹ The same conditions also encouraged the development of a relatively sophisticated credit system, which seems to have been widely engaged in by the burgh population, and may even have permeated lower levels of Edinburgh society.⁶²

Research has already been carried out on property development in the first half of the seventeenth century which, prior to the outbreak of the Covenanting wars, appears to have involved a sector of the population outwith the wealthiest merchants.⁶³ The political elite are, of necessity, a much smaller sample than James Brown's 310 merchants, but all except John Byres and Nicol Uddard were alive and established in their careers when the 1635 Annuity Tax was drawn up. As Byres' 'relict or heires' owned, but did not occupy, two properties on the High Street,⁶⁴ he can also be counted as a property-owner. Of these nineteen men, fifteen of them were property owners in the burgh, but only ten of them were renting out

⁶¹ Brown, 'Edinburgh Merchant Elite', ch. 6.

⁶² James Brown has convincingly shown that Edinburgh's relatively sophisticated credit system tied Scotland into a European financial network. J.J. Brown, 'Merchant Princes and Mercantile Investment' in Lynch (ed.), *Early Modern Town*, 128–29, 135–36. NAS, Edinburgh Register of Deeds, B22/8/31, 4 Oct 1639, 17 Dec 1639, 10 Oct 1641. There are examples here of burgesses and unfreemen lending and borrowing money, some of which are quite small sums.

⁶³ Brown, 'Edinburgh Merchant Elite', ch. 6. McMillan, 'Edinburgh Burgess Community', ch. 4.

⁶⁴ Boog Watson, 'Owners of Property', 104.

space commercially. Five of them, John Binnie, Thomas Charteris, William Dick, John Sinclair and George Suittie, held more than one or two separate properties. According to McMillan's assessment of merchant property-owners alone, the average amount of money made *per annum* from renting property was just short of £250 Scots. Five men were making over this average.⁶⁵ The implication is that property investment within the burgh was not universal amongst the political elite, and in most cases, had not replaced their traditional sources of income.

When the political elite invested in properties for their own occupancy, they often used those buildings to display their wealth and status to a community where everyone lived in close proximity. Their impressive properties distinguished them from the rest of the population of Edinburgh, while also serving to legitimise their inclusion in the exclusive circles at the top of Edinburgh society. Some of these properties have survived until the present day, set back from the 'faire and spacious' High Street, in the closes clustered to the north and west of St Giles', the tolbooth and the law courts—the civic heart of the burgh. There seems to have been a conscious attempt to move away from the booths and chambers lining the High Street, which were inhabited by the 'merchants and tradesmen'—properties exemplified by Gladstone's Land on the Lawnmarket. Instead, the political elite of the burgh sought out the more discreet locations where 'the gentlemen's mansions and goodliest houses are obscurely founded'.⁶⁶ Unlike London or Bristol, Edinburgh's precarious and lofty site precluded the creation of socially exclusive districts zoned in accordance with wealth, at least until the building of North Bridge after 1765 allowed the civic leadership to build their own New Town.⁶⁷ As a result, seventeenth-century Edinburgh inhabitants had to find more subtle means of expressing their social prestige.

David Aikenhead claimed to possess a 'great mansion' at Peebles Wynd, near the Tron; the prominence of that name was preserved

⁶⁵ Thomas Weir, who does not feature in McMillan's study because he was a craftsman, also appears to have rented out property. McMillan also missed Sir Alexander Clerk, McMillan, 'Edinburgh Burgess Community', Appendix 2, 290–293. Boog Watson, 'Owners of Property', 123, 125, 128.

⁶⁶ The quotations are from John Taylor, the water-poet, Hume Brown (ed.), *Early Travellers*, 109, 111.

⁶⁷ P. Slack, *Impact of Plague*, 123–26, 151–67. J. Schofield, *The Building of London from the Conquest to the Great Fire* (Stroud, 1993), 168.

in the naming of a probable off-shoot of that close after Aikenhead's son, Alexander, and the house may have passed to his nephew, Mr James.⁶⁸ William Dick extensively modified the property he acquired in Advocates Close around 1630, known as Adam Bothwell's house after its first owner, the bishop of Orkney. If Bothwell commissioned the inscriptions from Horace and Ovid adorning the pediments of the top windows,⁶⁹ Dick the prosperous merchant may, nonetheless, have liked presenting himself as the sophisticated man of learning. At the very least, the panoramic views across the Forth from the east-facing bay windows must have been worth seeing. William Gray made sure that the world, or at least the world living in Edinburgh, knew the owners of the impressive property still standing today as Lady Stair's house were himself and his wife, by inscribing their initials and '1622' above the door.⁷⁰ John Byres, who reputedly gave his name to the close opposite the old Tolbooth, also adorned his house with a lintel inscribed with the initials of himself and his wife, and the date 1611. Both Byres and Gray made very public proclamations of their pretensions to a godly life; Byres' lintel stated to all those who passed it, 'blissit be God in al his Giftis',⁷¹ while Gray advised passers-by to 'Feare the Lord and depart from evil'. Alexander Clerk's father did likewise. A door-lintel at his 'grit ludging' was engraved with the words 'The Lord is my Protector'. It is possible that the property passed to his son.⁷² By going to the trouble and

⁶⁸ ECA, Moses Bundle 9, no. 384. NAS, CC8/8/58, 14 Sep 1637. Boog Watson, 'Owners of Property', 122–23.

⁶⁹ Adam Bothwell's house is visible from Advocates Close, although technically now in Byres Close. It was originally accessed through Kintyre's Close, which has disappeared. Dick acquired a backland pertaining to this property in 1615. ECA, Abstracts from the Protocol Books of John Hay, 22 Aug 1615. H.F. Kerr, 'Map of Edinburgh in Mid-Eighteenth Century' (1918). My thanks to Pam McNicol for giving me a copy of this drawing. See also B.J. Home, 'Provisional List of Old Houses Remaining in High Street and Canongate of Edinburgh', *BOEC*, i (1908), 7. J. Gifford, C. McWilliam and D. Walker, *The Buildings of Scotland: Edinburgh* (3rd edn., London, 1991), 202.

⁷⁰ Whitson, 'Lady Stair's House', 244–45. Kerr, 'Map of Edinburgh'.

⁷¹ Geddie, 'The West-End and Dalry Groups', 134–37. C.B. Boog Watson, 'Notes on the Names of the Closes and Wynds of Old Edinburgh' in *BOEC*, xii (1923), 23. Kerr, 'Map of Edinburgh'. The lintel is still visible in Advocates Close. Gifford, McWilliam and Walker, *Edinburgh*, 201.

⁷² Geddie, 'The Dean Group', 101. Boog Watson, 'Owners of Property', n. 1, 125, 128. In this note, the date 1638 is referred to, suggesting Clerk the provost, not his father. A subsequent entry has Clerk residing in a property situated on the south side of the Cowgate.

expense of such stonework, these members of the political elite were claiming, in the most durable of formats, a godly endorsement of their authority.

A more select audience would have seen how these merchants adorned their interiors. Far from Scotland adopting an austere and cheerless mode of décor after reformation, recent work has revealed that a distinctively Scottish take on Renaissance styles must actually have made it 'rather a jazzy place'. Given that much of the inspiration for Scottish domestic decoration appears to have come from Scandinavia, perhaps with a little of France thrown in, Edinburgh's international merchants may have been setting trends and patronising local artists as much as the nobility. A striking set of wall panels have survived from the main hall of the house that William Nisbet built at the Dean, on the north-western outskirts of the burgh. Biblical scenes depicting St Luke and King David were, perhaps, predictable, given Nisbet's public piety; more of a surprise are the very secular images of the senses personified. 'Sight' is a well-dressed female figure with a mirror in her hand, sitting in front of Edinburgh, the castle and Arthur's seat. Nisbet's panels were probably painted when he was at the height of his political influence. Just as contemporary nobles often had themselves painted against their landed powerbases, Nisbet was indicating to all who entered his home where his political powerbase was situated.⁷³

For a select group of the political elite, the acquisition of land and property outside the burgh indicated a shift into the circles of the local gentry. James Brown has indicated that some merchants became landholders when the nobles who had used their property as security on loans defaulted on their payments. These investments, which were mostly held in wadsett, were consequently 'an adjunct to their role as merchants',⁷⁴ not an intentional statement about their perceived status. In *The Register of the Great Seal*, the names of fourteen of the political elite appeared in relation to land transactions outwith the burgh. Few of them, however, either bought the property outright, or retained an enduring interest in it. Thomas Charteris was granted the lands of Drumgrie in Dumfriesshire, with the lands

⁷³ James Douglas, Regent Morton, for example, was painted against the formidable Douglas stronghold of Tantallon, D. MacMillan, *Scottish Art, 1640–2000* (Edinburgh and London, 2000), 45, 52 [quotation], 54–5.

⁷⁴ Brown, 'Edinburgh Merchant Elite', 305, 364.



Plate 1: The original lintel from above the doorway into Sir William Gray of Pittendrum's townhouse, built around 1622 and now known as Lady Stair's house. Gray married Geidia, sister of Sir John Smith of Grothill, whose initials are displayed here with her husband's. This property, which was extensively renovated in the 1890s, now opens onto an attractive and spacious courtyard. When Gray and his wife took possession, the neighbourhood would have been made up of tall, densely-packed dwellings and dark, dirty alleys.

and barony of Apilgirth and of Amisfield, and a range of other holdings, in July 1638. By the end of the month, Drumgrie had been resigned to George Rome of Kirkpatrick-Irnegray. It also seems likely that the lands of Amisfield had passed out of Charteris hands before Sir John Dalzell of Newton was granted them in 1649.⁷⁵ Others were specifically granted the teinds pertaining to particular lands, indicating that it was possible to hold the lands separately from the teinds. In James Roughead's case, he was granted both, although only the lands are mentioned in the grant to the previous possessor, William Nisbet.⁷⁶ These transactions appear to relate to the 'con-

⁷⁵ The lands of Amisfield highlight how confusing land transactions in the early modern period can be. Thomas Charteris was granted the land in July 1638, but in August, those lands were described as formerly in the possession of Sir John Charteris of Amisfield and his son, John. Although Sir John was Thomas's contemporary and a likely relation, it is not clear who held what, and when. *RMS*, ix, nos. 68, 846, 857, 859, 2102.

⁷⁶ Dalgleish, 'Trinity College Church', 9.

siderable debt' of Sir George Touris of Inverleith—Roughead was owed £12 Scots by the laird, and £1,000 Scots plus £80 Scots annuallent, in 1652.⁷⁷

Other examples exist, supporting Brown's hypothesis that the extent to which gentry and nobility were mortgaging their lands had created a market of unprecedented fluidity. Between the turn of the century and the Restoration, 60 per cent of land transactions in *The Register of the Great Seal* involved merchants—in the following decade, that figure was slashed to 6 percent. When John Smith acquired the dominical lands of North Berwick in 1652, he did so because they had been wadset to him by his co-councillor, William Dick, under reversion of 46,000 merks (about £30,666). He had held the dominical lands since March 1634, and acquired the teinds to a number of rectories and vicarages there in 1642. Also in possession of some of the teinds was Mr Patrick Home of Huttonbell. Sir Patrick Hepburn of Wauchton held the patronage of the altar of the Blessed Virgin in the parish church of North Berwick and the almshouses were held by Mr Richard Lauder from 1634.⁷⁸ Although some of the complexity of this picture is attributable to the credit web spun by William Dick during the Covenanting wars, it is evident that other elite Edinburgh merchants were also able to speculate in land, either because they had money to invest, or as a result of a growing need on the part of the traditional landed elite for their credit facilities.⁷⁹

Others did purchase land outright, or received grants which they retained a permanent interest in. In 1609, Nisbet bought himself the barony of the Dean from John, Lord Lindsay of the Byres, where he built himself the large and well-proportioned mansion that sported the fine painted panels mentioned above. Later, John Bothwell, Lord Holyroodhouse, granted Nisbet a tack for the teinds of the lands of Dean, for his lifetime, his son's lifetime, then to seven successive

⁷⁷ Sir George may still have been alive in 1652, but he was certainly dead by 1654. His son, Sir Alexander, to whom he sold the barony in 1640, died in 1645. His heir, John, is not designated as 'Sir', or 'of Inverleith'. *RMS*, ix, no. 1662. NAS, CC8/8/66, 30 September 1652. M.D. Young (ed.), *The Parliaments of Scotland: Burgh and Shire Commissioners* (2 vols., Edinburgh, 1992), ii, 698.

⁷⁸ *RMS*, ix, nos. 16, 103, 413, 987, 103, 1021, 1153; x, nos. 12, 13, 14.

⁷⁹ Credit is discussed more fully by K.M. Brown, 'Aristocratic Finances and the Origins of the Scottish Revolution', *EHR*, civ (1989). See also Brown, *Noble Society*, 93–4.

heirs, and 'ten nynteine years' thereafter. It is telling that Nisbet's son's testament did not include any reference to either mercantile or commercial activities, but did include a valuation of the crop of the lands of Dean, amounting to over £4,250 Scots.⁸⁰ The elder William Nisbet exemplified the process of using mercantile wealth, accumulated in his twenties and thirties, to invest in a commodity which was intended to secure both his finances and his social prestige.⁸¹

This was not the case for most Edinburgh merchants, however. Alexander Clerk came from burgess stock, but his father had invested in land and his son was described as 'de Stentoun' when he bought the western half of the lands and house of Pityoucher, Fife, in 1630. Both Stenton and Pityoucher passed to Clerk's second son, Mr Gilbert, in 1646. In the meantime, Clerk acquired the lands and barony of Pittencrieff, with which he was designated when he was knighted in the summer of 1633. Pittencrieff passed to his elder son, Mr Alexander.⁸² In 1617, David Aikenhead was given a grant of the house and lands of Kilhouse Wester in Fife, which he then granted to his son and heir, Mr Thomas, ten years later.⁸³ John Byres acquired the ecclesiastical lands of St Cuthberts' with its barns, granaries and storehouses in 1621, but he is better known for his purchase of Easter Coates, on the western outskirts of Edinburgh, where he built a modest but picturesquely asymmetrical mansion around 1615.⁸⁴ Although most of William Dick's acquisitions were related to money-lending, he did purchase the lands of Braid in 1632 for £20,000 Scots, as well as its neighbour properties, St Giles' Grange and Sciennes.⁸⁵ John Sinclair acquired the lands of Stevenson with a tower, mill,

⁸⁰ D. MacGibbon and T. Ross, *The Castellated and Domestic Architecture of Scotland* (5 vols, Edinburgh, 1887–92), iv, 482. This value includes crops still owed to Nisbet's son from those lands. NAS, CC8/8/67, 26 February 1656. Nisbet's wife's testament, recorded near the end of his career, contains no references to the Dean, or any business activity. NAS, CC8/8/55, 26 September 1631. RMS, vii, nos. 123, 278, 381; ix, no. 28. Geddie, 'The Dean Group', 100–5. Nisbet's nomination as a justice of the peace for Edinburghshire in August 1623 reflects his move into the local landed gentry, *RPCS*, 1st ser, xiii, 341.

⁸¹ Geddie, 'The Dean Group', 96–8.

⁸² RMS, viii, nos. 1615, 2141; ix, nos. 1507, 1675. Young (ed.), *Parliaments of Scotland*, i, 123, 124.

⁸³ RMS, vii, no. 1651; viii, no. 1111.

⁸⁴ RMS, viii, no. 243. Geddie, 'The West-End and Dalry Groups', 134–37. MacGibbon and Ross, *Domestic Architecture*, ii, 509–11.

⁸⁵ W.M. Bryce, 'The Grange of St Giles', *BOEC*, x (1918), 16. Brown, 'Edinburgh Merchant Elite', 345.

fishing rights, and the patronage of the altar of the Holy Blood in Haddington parish church in 1624. Sinclair was probably knighted as Sir John of Stevenson in 1641, thereby founding a lairdly family who were still using that title at the Union.⁸⁶ All of the men discussed here were, as James Brown has suggested, a transitional generation,⁸⁷ whose mercantile wealth enabled their progeny to enter the ranks of the local gentry. In the middle of the seventeenth century, however, the acquisition of land, either intentionally or through defaults on debts, signified the extent to which the merchant elite were departing from traditional trading activity.

Dead Yet Not Dead

Even in death, the political elite sought to distinguish themselves from the community at large and reinforce the status they possessed in life. As God would separate the elect from the corrupt majority, so Edinburgh's premier families sought to avoid the communal burials necessitated by lack of space. In the over-crowded burgh of Edinburgh, as in other European cities, graveyards were public spaces where monuments became objects of self-aggrandisement and conspicuous consumption.⁸⁸ By the early seventeenth century, Greyfriars', on the southern extreme of the burgh, had become the town's main burial site. It was first enclosed for that purpose in 1561, but fitting everyone in remained a problem. Attempts to regulate burials were occurring by at least the 1590s, and in 1603, the town council ordered that 'na staynes aucht to be infixet or sett at ony graiffes in the buriall yaird'.⁸⁹ No doubt under pressure from some important people, permission was eventually given by the council for the erection of tombs on a strictly limited basis. It seems that wall-mounted tombstones may have been acceptable, although in 1648 the council demanded the removal of all carved stones 'set at the

⁸⁶ Sir John apparently died after his son, Mr John, which is not clear from *RMS*. *RMS*, viii, no. 624; x, nos. 178, 300; xi, no. 325. Young (ed.), *Parliaments of Scotland*, ii, 643–44.

⁸⁷ Brown, 'Edinburgh Merchant Elite', 304.

⁸⁸ V. Harding, *The Dead and the Living in Paris and London, 1500–1750* (Cambridge, 2002), 148, 152.

⁸⁹ There was also a burial ground at Trinity College church and hospital. *Edin Recs 1557–71*, 106, 110. *Edin Recs 1589–1604*, 36, 324.

heads' of the dead.⁹⁰ In the examples that survive today, some of the most elaborate tombs were not those of lawyers or local gentry, but the merchant elite. As with the adornment of their houses, tombs enabled the political elite to display a dynastic justification for the perpetuation of an exclusive social hierarchy, in the most enduring of materials.

Five members of the political elite are definitely known to have been buried in Greyfriars' kirkyard, although there are several other monuments commemorating leading Edinburgh families, such as the Trotters, Bannatynes, Morrisons and Dennistons. All the tombs mentioned here still stand, embedded into the perimeter wall between the graveyard and the ground belonging to Heriot's hospital.⁹¹ As David Howarth has noted in relation to royal tomb-building, it is difficult for the modern mind to appreciate the significance of these creations. As well as immortalising the extinct individual, the monument also acted as 'an expensive form of advertising'⁹² for the entire family. Many surviving examples employ both imagery and text, perhaps in a bid to communicate with the widest possible audience. While conventional expressions of piety are frequently in evidence, a consistent theme of these monuments is the tension between the desire for 'immortality in human memory'⁹³ and the fundamental fact that all humans die.

Temporal themes are evident in the elaborately-carved tomb raised, in its own words, for that 'truly good, and excellent citizen', John Byres (see plate 2). Flanked by two pairs of pillars supporting a broken pediment, the central relief juxtaposes Latin text, for the more discerning reader, with those customary symbols of mortality, skulls, crossbones and an hourglass. The success that Edinburgh had brought to Byres and his widow, Agnes Smith, whose initials were carved alongside her husband's, was perhaps hinted at by the representation

⁹⁰ *Edin Recs 1604–26*, 20, 51, 64, 68, 92, 95. *Edin Recs 1642–55*, 158.

⁹¹ David Aikenhead, John Byres, William Dick, Archibald Tod and John Smith were buried in the kirkyard. William Nisbet's father, Henry, and William Dick's wife's family, the Morrisons, also had burial plots. J. Brown, *The Epitaphs and Monumental Inscriptions in Edinburgh's Greyfriars Kirkyard* (Edinburgh, 1867), 16, 305, 308. I would like to thank Michael Bury at Edinburgh University, for allowing me access to his database on the monumental inscriptions of Greyfriars' churchyard.

⁹² D. Howarth, *Images of Rule: Art and Politics in the English Renaissance, 1485–1649* (Berkeley, California, 1997), 153, 155, 156.

⁹³ Harding, *Dead and the Living*, 148.

of a cornucopia. Next to it is an image that could be their 'lofty' townhouse, which apparently stood near St Giles' until the mid-nineteenth century (it is the wrong dimensions for Easter Coates). Most of the inscription limited itself to a brief career history, implying a dedication to public service which, in an urban society, probably spoke for itself.⁹⁴

This sentiment was also at work when the town council, towards the end of David Aikenhead's literal three score years and ten, agreed to the erection of a monument in respect of his 'manifold guid offices'. It is the plainest of the seventeenth-century survivals, lacking any of the classical motifs of his neighbours. Perhaps, in its austerity, it preserves something of the personality of the pious Aikenhead? The inscription, a biblical quotation from Revelations, expressed the belief that Aikenhead's works on earth would follow him beyond the mortal life. Below it, a mural tablet had been styled as a carved coat of arms surmounted by a three-leafed oak stem with acorns. Rather curiously, given the protestant rejection of burial within the church, Aikenhead's tomb had been placed within the church, perhaps as a floor slab; it was moved outside with three companions after the fire of 1845. Nor was he devoid of company; four years previously, in 1633, permission was given to bury a leading lawyer, Sir James Skene of Curriehill, 'within the churche'.⁹⁵ Despite the efforts of the reformers, therefore, some social kudos still appears to have been attached to the placing of a stone within the confines of the church itself.

Of the monuments surviving from this early period, Archibald Tod's is undoubtedly one of the most illuminating on the association with social ambition (plate 3). Positioned some twenty feet or so down the wall that Byres' monument had been placed on twenty-five years previously, Tod's effort both emulates and rivals the earlier creation. It stands over three metres tall, with a pediment bearing three balls and finials. Almost every symbol of mortality the sculptor could fit on it is present; the skull and crossbones, flaming torches,

⁹⁴ *Edin Recs 1626-41*, 182. Brown, *Epitaphs*, p. 81. J. Grant, *Old and New Edinburgh* (3 vols, London, 1883), i, 153.

⁹⁵ Greyfriars Church was built on the site of the former friary and opened for preaching in 1620. *Edin Recs 1589-1603*, 295. *Edin Recs 1604-26*, 215. *Edin Recs 1626-41*, 133, 185-86. Brown, *Epitaphs*, 305. *BUK*, ii, 603. Burials were still taking place inside Aberdeen's St Nicholas Kirk, Lynch and Dingwall, 'Elite Society', 182.

sexton's tools, scythe and hourglass reminded all who looked upon it that mortal life was transitory. Yet the intent behind the monument itself was to give Tod a form of immortality, a notion reinforced by the textual claim that Tod had 'dy'd, but did not die' because 'his golden name' was entered into 'fame's fair roll'.⁹⁶ The inscriptions, both in Latin and English, conveyed why he was worthy of remembrance, by claiming that 'whether in the prosperity of peace, or adversity of war', Tod's career was dedicated to 'his country and this city'. He may have been 'godly without pride', but his monument sought to show Tod's (apparently) selfless, tireless efforts on behalf of the community he had been born into.⁹⁷

One final tomb, belonging to Thomas Bannatyne, is worth mentioning (see plate 4). The Bannatynes were one of Edinburgh's most enduring and well-connected members of the burgh social elite. In 1635, it appears that Thomas died young, leaving behind a widow, Janet McMath. She later married a son of Sir William Dick, who had cause to be grateful for Thomas Bannatyne's premature demise because his widow's wealth saved some of Dick's lands from requisition by his father's creditors.⁹⁸ The superb edifice McMath erected for her dead husband carries many of the features evident on the tombs of Bannatyne's neighbours, Archibald Tod and John Byres. A tablet engraved in English describes McMath's evident regard for her husband and the 'helping hand' he gave both to the poor and to his friends. What makes Bannatyne's monument especially interesting is that within the classical framework of pillars and pediments, the sculptor chiselled Edinburgh in relief. A cherub-like figure holding an hourglass, again signifying mortality, sits before the city. As Edinburgh had been the setting for all Bannatyne's worldly success, so in death, it provided the backdrop for his immortalisation in stone.

The Right to Rule

Self-advancement and the advancement of the interests of the burgh of Edinburgh were intimately connected for the political elite. In a democratic age, the kind of social networks which were at the heart

⁹⁶ Howarth, *Images of Rule*, 155. Brown, *Epitaphs*, 108. See also Aikenhead's expressive testament, NAS, CC8/8/58, 14 Sep 1637.

⁹⁷ Brown, *Epitaphs*, 107–8.

⁹⁸ Bryce, 'Grange of St Giles', 6–17.



Plate 2: The Corinthian aedicule dedicated to John Byres of Coates, who died aged 60 in 1629. It also features the initials of his second wife, Agnes, sister of Sir John Smith of Grothill. Set into the arched niche is a relief that may feature the lofty Byres townhouse. This tomb was carved by a skilled craftsman, the king's master mason, William Wallace, who also worked on Heriot's hospital. M. Glendinning, R. MacInnes and A. MacKechnie, *A History of Scottish Architecture: From the Renaissance to the Present Day* (Edinburgh, 1997), 35, 65.



Plate 3: The burial monument of Archibald Tod, provost of Edinburgh, who died in 1656. A tablet set underneath this image described Tod's contribution to Edinburgh civic life: 'But Provost Tod himself, whether in the prosperity of peace, or adversity of war, was still the same, for his country and this city; and in all exigencies, equally deserved the magistracy'. Brown, *Monumental Inscriptions*, 107–8. Although Tod married four women, only his first wife, Helen Jackson, and his one surviving daughter, Katherine, wife of David Wilkie, are mentioned on the tablet.



Plate 4: The tomb of Thomas Bannatyne, erected by his widow, Janet McMath, situated on the western wall of Greyfriars' churchyard. With its elaborate carving and complex imagery, this is one of the finest examples of a seventeenth-century merchant's burial monument. At right is a detail from the topmost part of the monument, showing a cherub flanked by a skull and an hourglass. Another skull can be seen set within the doorway of the building to the left of the cherub's head—this may have been Bannatyne's townhouse. To the right of the cherub (at eye level) is a relief of Edinburgh, with what appears to be St Giles' in the foreground, recognisable by its steeple.

of seventeenth-century urban politics would be condemned as nepotism, or 'jobs for the boys', but in the 1600s, family, friendship and social status were seen as intrinsic to the right to govern. In a culture where it was accepted that 'virtue followes ofttest noble blood',⁹⁹ it is not surprising to find that similar notions pervaded urban society. Those whose fathers and grandfathers had sat on the town council were assumed to carry in their veins the same qualities that had made their predecessors eligible for service. Not every councillor came from an inner circle of families whose right to govern had almost become hereditary, but he had probably married into, had business dealings with, or had established friendships from within that group. Just as 'kin friends and allya'¹⁰⁰ formed the foundations

⁹⁹ *Basilicon Doron*, ii, 87 [Waldegrave 1603].

¹⁰⁰ J. Wormald, *Lords and Men in Scotland: Bonds of Manrent, 1442–1603* (Edinburgh, 1985), 76–7. See also van Heijnsbergen, 'Literature and History', 217–20, 225.

of rural society, it was no different in the towns. Edinburgh was Scotland's largest and most economically advanced urban centre, but even if it can be successfully argued that proto-capitalism was breaking feudal ties,¹⁰¹ it is entirely plausible that a modified version of older ideals still persisted. It was these ideas which underpinned the concept of the burgh community.

If that community was a myth,¹⁰² the small body of men who made up the political elite were its active propagandists. They invested in elaborate dwellings, burial monuments and ambitious schemes like the parliament house to reinforce the social kudos that legitimated oligarchic government. Their status was further enhanced by inter-marriage with local gentry and the burgeoning professional classes. The emphasis was on a paternalistic hierarchy, where the wealth and resources of those few at the top were used to benefit the community as a whole. The success of the elite in re-forging a post-reformation identity, primarily by using existing social ideals, was made manifest during the 1640s. Admittedly, Edinburgh did not, at any point, have hostile armies marching through its ports prior to 1651, and consequently, its political system was not put under the same intense strain as Glasgow or Aberdeen.¹⁰³ Yet it is surely significant that Edinburgh's government was not challenged at all during this turbulent time; political activity focused on ensuring that the right candidates were elected, not in changing the way that those elections were conducted. As Chapter Seven will make clear, the same people whose families had dominated Edinburgh politics since the sixteenth century, would still be the burgh's principal political actors into the 1650s and 1660s.

¹⁰¹ Makey, *Church of the Covenant*, 1–6. A complicated version of this idea is expressed in G. Marshall, *Presbyteries and Profits: Calvinism and the Development of Capitalism in Scotland 1560–1707* (Edinburgh, 1980).

¹⁰² Dennison, 'Power to the People?' in Foster (ed.), *Scottish Power Centres*, 112–13, 115–16, 120. M. Lynch, 'Continuity and Change in Urban Society, 1500–1700' in R.A. Houston and I.D. Whyte (eds), *Scottish Society 1500–1800* (Cambridge, 1989), 89.

¹⁰³ DesBrisay, "The Civill Wars", in Dennison *et al.* (eds), *Aberdeen*, i, 238–66. E.J. Cowan, *Montrose: For Covenant and King* (London, 1977), 221–22.

PART TWO

POLITICS AND RELIGION

CHAPTER FOUR

LOCAL AND NATIONAL GOVERNMENT BEFORE THE CIVIL WARS

A Disaffected Elite

The Prayer Book riots of 1637 cast a long shadow, and every discussion of pre-civil war Scottish government cannot help but have them lurking somewhere in the background. The causes of the riots themselves were fundamentally religious, but the growth of nonconformity only explains why there was opposition in the capital, not why the king's government failed to resist it. Decisive action by the privy council to secure Edinburgh for the royalists was not beyond the realms of possibility—there were fully eleven weeks between the riot of 23 July and the privy council's enforced withdrawal from Edinburgh. During those weeks, there seems to have been a lot of 'long boggling' but little in the way of decision-making.¹ The question is whether this was what was happening even before 1637. Had government become 'absentee' in the wake of King James's removal to England in 1603—not literally AWOL, of course, but perhaps asleep at its post? If this turns out to be the case, can the reasons be ascribed to fundamental structural weaknesses, arising from the failure to create an autonomous bureaucracy capable of functioning without direct instruction from the monarch?²

Most Scottish works have addressed the descent into war from the perspective of central government.³ There is virtually nothing in print

¹ The best account of the crisis is still Stevenson, *Scottish Revolution*, ch. 2. The quotation was ascribed by Lord Hailes to Charles I, but it works just as well for his privy council. Stevenson, *Scottish Revolution*, 92–3.

² Keith Brown argues that the Scottish regime had ceased to be dynamic in the early 1610s, Brown, *Kingdom or Province?*, 94. Maurice Lee maintains that the Jacobean system was effective and Charles undermined it, *Road to Revolution*, 4; 'The "Inevitable Union": Absentee Government in Scotland, 1603–1707' in M. Lee (ed.), *The 'Inevitable' Union and Other Essays on Early Modern Scotland* (East Linton, 2003). Julian Goodare argues that, in theory, the privy council had wide-ranging powers and was capable of running day-to-day affairs without instruction, Goodare, *Government of Scotland*, 128.

³ Stevenson, *Scottish Revolution* and *Revolution and Counter-Revolution*, Macinnes, *Making*

that analyses whether the issues causing contention during the 1620s and 1630s—higher taxes, the decline of parliaments, the Revocation scheme—bothered anyone other than a elite cluster of privy councillors, judges and landholders. An exception is in Scottish urban history, where studies into the experience of late Jacobean and Caroline rule reveal broad parallels with English towns. The heavy taxation, interference in political processes and disregard for custom and privilege that was causing irritation in Norwich, and particularly in London, was also going on in Scottish burghs.⁴ This suggests that although Scotland had a particular reason to take issue with royal religious policy, there were clearly also problems with Stuart rule that had relevance across the British kingdoms.⁵

Local and National Government

Edinburgh town council had a level of autonomy in its own affairs and ‘political clout’ beyond its walls that brought it closer to its German rather than English counterparts.⁶ As a consequence of this high level of autonomy, government in Edinburgh after 1603 functioned much as it had done before that date. Where changes did occur, such as the creation of justices of the peace, town councils found that their existing powers were augmented, not threatened by rival agencies. Much as always, Edinburgh continued to receive communications either from the king himself or, where appropriate, from selected servants, such as the archbishop of St Andrews, but usually the privy council was the main conduit of information. The king would send missives on whatever was bothering him and the privy council saw, or attempted to see, that something was done. Much

of the *Covenanting Movement* and Donald, *Uncounselled King* are invaluable, but all mainly take the view from the centre.

⁴ Lynch, ‘The Crown and the Burghs’, in Lynch (ed.), *Early Modern Town*, 55–75. J.T. Evans, *Seventeenth-Century Norwich* (Oxford, 1979), 79–94. V. Pearl, *London and the Outbreak of the Puritan Revolution: City Government and National Politics, 1625–43* (Oxford, 1961), 172. DesBrisay, ‘“The Civil Wars”’ in Dennison, *et al.* (eds), *Aberdeen*, i, 241.

⁵ Conrad Russell described the ‘British problem’ almost exclusively in terms of religion. This made it easier to show that Scotland’s relationship with the Crown was dysfunctional in a way that England’s was not, Russell, *Fall of the British Monarchies*, 27–51.

⁶ Collinson, *Birthpangs*, 33. See Chapter One for discussion of the town council’s jurisdictions.

of the business between the two councils probably never reached the king's attention, however; the impression is that the privy council took an interest in Edinburgh town council only when somebody made a complaint—consultations on import and export duties, investigations into wrongful arrests, or directives on eradicating 'the filthe and excrementis of man and beast' from the capital's closes were typical.⁷

Examples from the period illustrate that the privy council did, from time to time, step in to remind the town council of its obligations but made little attempt to compel it to act. In March 1619, for example, the privy council complained that Edinburgh was becoming such a 'filthie pudle of filth' that nobles, councillors and senators of the college of justice did not have 'clene and frie passage and entrie to thair ludgingis.' By alleging that the nobility had threatened to remove themselves to Canongate and Leith, the privy council implied that Edinburgh would lose business if it did not clean itself up. The next day the town council took action to address the problem, and there were no more references to the state of Edinburgh's streets, from either body, until the next royal visit of 1633.⁸

There was no need for council interference in most of the town's affairs, and if anything, persistent intrusion would have been detrimental to the authority of the town council. The merchant magistrates of Edinburgh knew their environment better than noble landholders who were not permanently resident there, so it made good sense to leave the experts alone to carry out their work. In turn, the expertise of Edinburgh's leading merchants and their influence with the rest of the royal burghs was extremely useful to the privy council. There was at least one issue which Edinburgh's merchants knew more about than anyone else—money. When John Acheson, master of the king's mint and Edinburgh merchant, gave in a report deploring the state of the country's coin in 1632, investigations into suitable reforms began. The shortage of coin, particularly the low denominations used by the poor, had been exercising the brains of privy councillors for some time, but the imminence of Charles's coronation visit concentrated minds. Although Charles decided the best idea was to send the French master of the English mint, Nicolas Briot, to advise the Scots, it is notable that numerous consultations

⁷ *RPCS*, 1st ser., xi, 530; xiii, 139, 647–48. Goodare, *Government*, 203.

⁸ *RPCS*, 1st ser., xi, 530. *Edin Recs 1604–26*, 186. *Edin Recs 1626–41*, 121.

were held between the privy council and town councillors. At the very least, they were kept fully informed of proceedings.⁹ What is particularly interesting in this circumstance is that while the privy council were consulting with knowledgeable merchants, Charles I chose to over-ride the privy council and implement his own (controversial) solution.¹⁰

Privy and town council consultations, usually on economic matters, occurred with relative frequency, covering such issues as the contentious attempt to reform the tanning industry, the setting of market prices for staple foods, and the investigations into Nathaniel Uddard's monopoly on soap manufacture.¹¹ In 1624, inspired by the example of England, James VI allowed the privy council to set up a commission 'to heare everie persoun or persouns greeved' by particular projects which had proved more gainful to individuals than the country at large. Edinburgh's burgesses led those from the other burghs in their discussions with the privy council. The previous year, seven Edinburgh merchants, with their clerk, were named to attend a 'standing commission on manufactures', which had grown out of the need to address a surplus in Scottish wool. A wide remit and membership made it, according to Lythe, a 'microcosm of Parliament' rather than simply another privy council committee, but the capital was particularly well represented. It included Edinburgh and eight other leading burghs, but the commission was quorate with six burgesses, three of whom had to be from Edinburgh.¹²

In such cases, the privy council fulfilled its chief roles, by acting as a court of appeal when there were disputes at local level, as a

⁹ *RPCS*, 1st ser., xii, 455; 2nd ser., iv, 522–23, 564, 570, 578–79; v, 9. *Mar and Kellie*, 97–8.

¹⁰ Lee, *Road to Revolution*, 106, 187. Macinnes, *Making of the Covenanted Movement*, 35–6.

¹¹ *RPCS*, 1st ser., xii, 159–70, 179–81; xiii, 249–50, 554.

¹² British involvement in foreign wars, the famine of 1621–24 and the attendant restrictions of the export of victual, coupled with the problems of debased coin seem to have contributed to anxiety about an economic downturn in Scotland. The commissions were established to alleviate some of these difficulties. S.G.E. Lythe, *The Economy of Scotland in its European Setting, 1550–1625* (Edinburgh and London, 1960), 93, 94, 95 [quotation]. *RPCS*, 1st ser., xiii, pp. xiii–xxvii, 70, 106, 219–23, 243, 290–300, 299–392, 438, 443, 554, 570–71, 634–46, 731. The investigation into English monopolies spearheaded by Lionel Cranfield, which necessitated some big names defending themselves and questioned the king's right to grant patents, was more vigorous than in Scotland, J. Cramsie, *Kingship and Crown Finance under James VI and I, 1603–1625* (Royal Historical Society, Boydell, 2002), 174–75, 180.

conduit for royal commands and as a mediating body. As Scotland's 'supreme executive authority' below the Crown, the privy council also possessed a wide remit and was capable of acting on its own initiative without recourse to the king. This enabled speedier, more effective decision-making than would have been the case if a monarch four days' ride away had to be consulted on every new development.¹³ Such a system relied on effective delegation and respect for all the particular spheres of influence. The king had to trust the privy council to make independent decisions which were not prejudicial to the monarch's prerogatives when the monarch himself did not know what the council was doing. Likewise, the town council had to believe that the privy council was genuinely a mediating body, and not just a rubber stamp for royal *diktat*.

When the system worked, absentee monarchy did not prove to be much of a hindrance to effective government in the localities, even one which had been blessed (or cursed) with the presence of the king more than any other. By the seventeenth century, what made Edinburgh a capital was not the physical presence of the monarch. It was the presence of his government. The growing mountain of paperwork necessitated by the collection of the king's revenues, the provision of justice and the maintenance of good order in his realm required an expanding army of lawyers and bureaucrats. While the sixteenth-century court remained peripatetic, the organs of government found themselves a convenient home in Edinburgh, where the establishment of the college of justice had encouraged the proliferation of an increasingly sophisticated, secularised legal profession. It was the services of these people which privy councillors and lords of session required, both as territorial magnates who wanted to secure their rights on paper and as government officials. The other thing government needed was money—a commodity the Stuart dynasty was particularly short on—and this Edinburgh had in abundance, whether it be in terms of taxation revenues or direct borrowing from merchants.¹⁴ In effect, there was virtually no need for the king to be personally present in Edinburgh provided he had a reasonably efficient postal service and could trust his councillors. Absentee monarchy did not *necessarily* mean absentee government.

¹³ Goodare, *Government*, 239.

¹⁴ BL, Add.MS. 23,116, iv, f.48. ECA, Extent Rolls, SL35/1/2–3.

Jurisdictional Integrity

The privy council was not a blind supporter of Edinburgh town council. If the king's government in Scotland was going to have any authority, it had to show it was not the slave of valuable vested interests. Part of the privy council's remit was as a court of appeal, and for its judgements to be respected, it had to assess every case on its own merits. In 1617, the baxters of the West Port, just out-with the burgh, were prosecuted successfully for usurping 'the auctoritie of the lauchfull magistrat' by setting up an 'illegal trade combination'. Interestingly, this case was not brought by Edinburgh town council,¹⁵ although one suspects it was probably town councillors who brought the issue to the attention of the privy council in the first place. Here, Edinburgh's interest in preventing its troublesome suburbs denying the authority of the magistrates combined with the privy council's need to ensure that food production and prices were carefully monitored in the capital. In other cases, however, the town council's interest could be at odds with the wider community.

It is hardly surprising to find that Edinburgh was jealous of both its jurisdictional integrity and its rights within that jurisdiction, particularly in trade matters. Sometimes attempts to protect its privileges made Edinburgh's officials overly zealous in their work, as the cordiners (shoemakers) of Canongate discovered. Problems arose over the rights of Canongate craftsmen to do business in the capital, but the issue was complicated by other events. In 1620, Lord Erskine, son of the treasurer, the earl of Mar, was granted a thirty-one-year patent for tanning leather, which was opposed, amongst many others, by the cordiners. This may have added fuel to the fire. The main problem was that Edinburgh town council seems tacitly to have condoned acts of petty violence against the Canongate cordiners and other tradesmen. In 1618, the privy council found in favour of a number of Canongate cordiners who had been manhandled by four Edinburgh men. All held positions in burgh government at some time in their lives. One was a serving town officer who would appear again in 1623 for an almost identical incident. By 1632, Edinburgh's thuggish attitude towards its rival neighbour had extended to the wrights, who cited cases stretching back eight years. The privy council

¹⁵ *RPCS*, 1st ser., xi, 140.

were not prepared to support Edinburgh town council when they were clearly using bully-boy tactics against small traders who, at worst, were engaging in a bit of sharp practice hardly capable of undermining the dominance of Edinburgh's markets. On all these occasions, it was the Edinburgh men who were censured.¹⁶

Impartiality was essential to the privy council's role as a judicial body, and in those cases where the dispute was on a point of law, the privy council referred to the court of session. As part of a broader dispute between the burgh of Edinburgh and the lord high admiral, Alexander Livingstone, earl of Linlithgow, the bailie of Leith, Archibald Tod, was brought before the privy council in September 1628 to answer for his 'churlish' behaviour in resisting Linlithgow's attempts to dictate which berth the king's boat should occupy at Leith. The real issue here was that the admiral's jurisdiction overlapped with that of Edinburgh, and while the privy council felt they were competent enough to censure Tod, the legal intricacies of ascertaining whose jurisdiction prevailed meant the court of session was better equipped to judge. The privy council did show some support for Edinburgh by stating that nothing should be done which would prejudice its liberties, even if Tod had behaved in an unsatisfactory matter; he was warded in Edinburgh Castle until the case could be heard. In this instance, the case may never have got to court, revealing how it was possible for the entire legal process to be over-ridden by the king's decree. It seems that the town council had petitioned the king, who found in their favour and ordered in June 1630 that Tod 'be not further persewed'.¹⁷

Monopolies and Patents

Edinburgh's position as Scotland's leading mercantile centre meant it was acutely sensitive to the government's haphazard economic initiatives. The burgh's main concerns were the protection of the trading privileges particular to Scottish royal burghs and the maintenance

¹⁶ *Edin Recs 1604-26*, 187, 195. *RPCS*, 1st ser., xi, 480; xiii, 139-40; 2nd ser., iv, 460-63; v, 372; vi, 619. For the tanning patent, see Goodare, *Government*, 211-12.

¹⁷ Lee has noted that the town council was often happy to have cases referred to the session because it was full of Edinburgh lawyers. *RPCS*, 2nd ser., ii, 451-55, iii, 546-47, 609-10. Lee, *Road to Revolution*, 139.

of its own economic dominance, which prior to the civil wars, Edinburgh more or less managed to achieve. Generally speaking, the early seventeenth century was a prosperous period when international trade expanded, home markets grew and industrial enterprises were undertaken. In contrast to Dublin, where a small group of international merchants tended to invest their money in rural land-holding, Edinburgh's much larger mercantile community branched out into moneylending and urban property speculation. Although the Scottish economy expanded significantly during James VI's reign, problems remained. Scotland's industrial sector was fragile and the value of imports continued to exceed that of exports, thereby facilitating a chronic shortage of coin. Overseas trade was dominated by traditional materials and markets, which minimised risk but also limited expansion and diversification.¹⁸ After 1603, Scotland also faced the possibility that its own economic welfare would be of comparatively little interest to a London-based monarch, whose coffers were filled chiefly from English revenues.

By the early 1630s, Scotland's quarter-century or so of prosperity seems to have been drawing to a close. In this more pessimistic climate, the prioritisation of English diplomatic or economic interests by the monarch took on an alarming aspect. James had not been immune from being pressurised by powerful English interest groups, as a failed attempt by English cloth-makers to monopolise the Scottish wool trade in the early 1620s had shown, but this worry seemed to have more substance after 1625. International trade generally had been damaged by the Thirty Years' War, but Scotland was particularly affected by an unwanted conflict with France after 1626. Charles generated further unease with schemes such as the common fishing, which Scots thought would open their waters to English fishermen, or proposed increases in customs duties, which would have harmed the Scottish export trade. These plans have also provided another nail for the coffin of Charles's reputation, by suggesting that his ability to alienate his Scottish subjects extended into the economic, as well as the religious and political, spheres.¹⁹ A thor-

¹⁸ Lythe, *Economy of Scotland*, 62, 193, 164–65, 237–39. I.D. Whyte, *Scotland Before the Industrial Revolution* (London and New York, 1995), 271–79. Gillespie, 'Dublin', 94–5.

¹⁹ Macinnes, *Covenanting Movement*, ch. 5. Lythe, *Economy of Scotland*, 220–22. Whyte, *Scotland*, 281. Brown, *Kingdom or Province?*, 105–6.

ough exploration of economic issues is not possible here, but by focusing on a few areas that particularly involved Edinburgh, it becomes apparent that, as in other areas, Charles was often building on foundations laid by his father.

Monopolies and patents have received a bad press. They were certainly an area of particular irritation to a mercantile elite obsessed with protecting their own special privileges, while historians have seen them as benefiting Crown servants and financiers rather more than the Scottish economy.²⁰ Between 1617 and 1637, the government made at least twenty-four grants, to individuals or consortia, of exclusive rights to manufacture or sell specific commodities. There were certainly others in operation before that date. Two-thirds of these grants were made in what appears to have been the economic boom-time of the late 1610s and early 1620s, although the keenness with which George Villiers, duke of Buckingham, pursued such projects south of the border was perhaps influencing Scottish policy also.²¹ For the royal burghs, monopolies were a pernicious development which they regarded as a threat to their exclusive trading privileges. There were justifiable accusations that patentees were unable to produce goods of like quality or price to foreign imports. The duties often imposed to recompense the patentee could make the product more expensive, while the production of a specific commodity at home, when previously it had been imported from abroad, took business away from Scotland's wealthiest international merchants. A vigorous attack on monopolies through the commission of grievances reduced the number of grants flowing from royal hands thereafter, but did not stop them completely.²² It was only with the enhanced political status afforded the burghs under Covenanting rule that a total statutory abolition of monopolies could be achieved.²³

Although the burghs liked to present themselves as the disinterested protectors of a commonwealth menaced by rapacious courtiers

²⁰ Macinnes, *British Revolution*, 46. Lythe, *Economy of Scotland*, 92–4.

²¹ *RPCS*, 1st ser., x–xiii, 2nd ser., i–vii. There may be others in *RMS*. There is no subject index, making a search for unknown patentees very time-consuming. A more manageable starting place is Lythe, *Economy*, 40–94. English monopolies were on a far grander scale, with 24 grants made in 1619 alone, Cramsie, *Crown Finance*, 164–65.

²² Lythe, *Economy of Scotland*, 93–4. Monopolies were under attack in the English parliament of 1621 but a bill was not passed until 1624, Cramsie, *Crown Finance*, 169–72, 177.

²³ *APS*, v, 411.

and speculators,²⁴ the reality was a little different. It is true that some influential people managed to secure patents. Sir George Hay, then of Nethercliff, later chancellor, Alexander Livingstone, earl of Linlithgow, William Alexander, earl of Stirling, with his son, John, and a servant of the marquis of Hamilton, Thomas Dalmahoy, were clearly benefiting from their political status ahead of any talent for commerce and manufacturing. Others probably fired the royal imagination by presenting their big idea in person. The inspiration for Sir James Cunningham of Glengarnok's patent 'anent the Indian toade' is sadly lost to history, but other examples, such as Samuel Johnstone of Elphinstone's patent for producing devices to dry out coalpits and lift heavy weights, suggest genuine entrepreneurial flair.²⁵ In some circumstances, a monopoly was probably the only way to encourage the establishment of experimental manufactories that required substantial initial investment. Hay's original 31-year patent to produce glass, for example, must surely have provided Scotland with a desirable native source of a luxury commodity and more work for a specialised body of craftsmen.²⁶

It is easy to take the persistent wails of protest from burgh representatives as the self-interested reaction of instinctual protectionists, but sometimes their criticisms did have justification. Edinburgh's cordiner craft made a complaint about the poor quality of leather they were being supplied with by the tanners in 1617. The tanners agreed that there were problems, which might be addressed, alongside other measures, by greater regulation of the tanning industry through its erection into a craft. This proposal, which had political as well as economic implications, brought Edinburgh town council into the affair. An amicable solution suiting all parties appeared to be in the offing, but before this could be achieved, a privy council subcommittee ignored earlier recommendations and concluded that foreign experts (Englishmen, in fact, to the disgust of Scottish craftsmen) should be brought in to instruct the Scots in the art of tanning. It quickly became apparent that this recommendation was the necessary prelude to the granting of a patent to Lord Erskine, son

²⁴ See, for example, the arguments against a monopoly in *RPCS*, 1st ser., xii, 211–12.

²⁵ *RPCS*, 1st ser., xi, 125 [quotation]; xii, 258.

²⁶ The patent was first granted in 1610, then renewed in 1634. *RPCS*, 1st ser., xi, 138. Hay's enterprise is regarded as a successful one in Turnbull, *Scottish Glass*, 26, 30, 81–4.

of the treasurer and boyhood friend of the king, John Erskine, earl of Mar. The impression of a stitch-up was no doubt confirmed by the presence on the subcommittee of one of Erskine's lawyerly relatives, Sir George Erskine of Innerteil.²⁷

The torturous details of Erskine's bid to prove that his English method of tanning produced good quality, affordable leather, and the bid by the free burghs to prove otherwise, need not concern us here. A few points are worth making, however. It was almost certainly Edinburgh's ability to influence the privy council on economic affairs and its leadership of the burghs in parliament that enabled the campaign against Erskine to go on for over twenty years. This may also have included a direct appeal to King Charles in 1629, shortly after the privy council had made a declaration in Erskine's favour. A campaign of this duration would simply not have been possible without Edinburgh's backing. Despite both the legal validity of Erskine's patent, which even the burghs did not question in 1639, and a successful trial of his methods, the burghs' tactics probably prevented the patentee from ever making enough money to recoup his initial investment. The tanning reforms were specifically mentioned by the act against monopolies in 1641, and although Erskine, now earl of Mar, had been promised compensation, the money very probably disappeared into the black hole of Covenanting debt.²⁸

Interestingly, King James was not the one who had advanced Erskine's patent. It is no surprise, given the promotion of the earl of Mar as treasurer in 1616, to find that the careers of both his son, Erskine, and his relative, Innerteil, were in the ascendant from 1617 onwards.²⁹ The cordiners' complaint had provided the Erskines with a business opportunity, and they seem to have had no trouble in persuading the privy council to support them. In recommending the patent to the king, the council told James that as he had 'important

²⁷ The first complaint, subcommittee and patent are at *RPCS*, 1st ser., xi, 613–14; xii, 164–65, 191–93. Innerteil was a cousin of Mar, *Scots Peerage*, v, 81–2, 615.

²⁸ To follow the main points of the narrative, see *RPCS*, 1st ser., xi–xii; 2nd ser., i–vi, Index, *Tanning*. See also *APS*, v, 48, 185, 225, 228, 411 [abolition of monopolies], 597–98, 601, 602. John Hay visited London expressly on business relating to 'the burghs' in July and August 1629. In April, the privy council had ordered all acts on the tanning reform to be executed. *RPCS*, 2nd ser., iii, 133–35. *ECA*, Town Treasurer, v, 549.

²⁹ Erskine was admitted onto the privy council in August 1617, *RPCS*, 1st ser., xi, 214. Innerteil became a senator of the college of justice in March 1617, *Senators of the College of Justice*, ed. G. Brunton and D. Haig (Edinburgh, 1832), 259–60.

and princelie affaires' to be getting on with, the council had done all the investigating and decision-making for him. Needless to say, no mention was made of the alternative proposals already put forward by Edinburgh, none of which involved granting the king's friend's son a patent.³⁰ After James's death, the burghs' position on the patent may have improved when Mar was eclipsed under the new regime. While Charles thought that there was no reason to recall the patent, the privy council expressed doubts about whether the patent would prove profitable for the country.³¹ Another round of petitions and commission reports ensued, until the whole affair was overtaken by the Prayer Book riots. Even if the ultimate abolition of monopolies occurred only once royal government had collapsed, it is evident that the political options open to the burghs enabled them to maintain their campaign throughout the 1620s and 1630s.

Edinburgh's objections to monopolies were usually taken seriously by the privy council. In 1620, the king recommended that Francis Keith should be given a monopoly for the accurate measurement of all wine, oil, honey and beer imports. The privy council asked the magistrates of Edinburgh to consider the proposal, and their report that it would be 'hurtfull and prejudicial' to the country resulted in the monopoly being rejected.³² Such an outcome was rare, but on other occasions, burghal recommendations could result in limitations being imposed on the patentee. A grant to the earl of Linlithgow of a 21-year patent to produce saltpetre, powder and match also gave him the right to 'enter, breake, open, dig, searche and worke' any property in the land, albeit with as little prejudice to the owners as possible. Both the privy council and the burghs took steps to protect private property, with a special clause being added that specifically limited Linlithgow's rights in royal burghs.³³ That ubiquitous entrepreneur and member of a powerful Edinburgh family, Nathaniel Uddard, was no more favoured by the capital than any other monopolist. His soap monopoly, granted in 1619, was one of the principal issues raised by the burghs in the commission for grievances. Like Erskine's tanning reforms, the issues of quality and cost were again

³⁰ *RPCS*, 1st ser., xii, 168–70, 190.

³¹ *RPCS*, 2nd ser., i, 238; ii, 196.

³² *RPCS*, 1st ser., xii, 211–12.

³³ *RPCS*, 2nd ser., ii, 333, 425–26, 439.

to the fore, but this time the burghs achieved a considerably speedier result. Although Uddard was allowed to continue producing his soap, and appears to have done so into the 1630s, the burghs did secure the cancellation of the restrictions on importing foreign soap, the setting of prices and weights in accordance with Scots law and the enforcement of quality controls.³⁴

Monopolies were by no means the only economic issues bothering the burghs, but they were of particular importance to the mercantile elite and certainly deserve more historical attention. The evidence tentatively offered here suggests that the burghs did not obviously have more to complain about after Charles took the throne than when James was sitting on it, nor was there any discernable reduction of their ability to have their grievances heard. Indeed, although the commission for grievances was a short-lived experiment, which Charles's interventions helped to terminate, it did reach conclusions that took some of the heat out of the monopolies debate. It might be argued that Charles took a more interventionist role in assigning monopolies than James had done, but there is little evidence that policy in this matter became any more open to English influence after 1625 than before. Even in those issues that more overtly raised questions about Scotland's place in the king's priorities, such as the common fishing,³⁵ Edinburgh specifically, and the burghs generally, continued to be consulted. The normal channels of exerting political pressure therefore remained open to the burghs, who met in their own convention, consulted with the privy council and lobbied parliament throughout the 1620s and 1630s. Of course Edinburgh did not see issues like monopolies in isolation; the contraction of international trade in the 1630s, combined with an ever-rising tax bill, arguably made elite merchants less sanguine about offensive royal policies than might have been the case during better times.³⁶ Nonetheless, it seems that throughout the first half of the seventeenth century, Edinburgh retained a high level of influence on

³⁴ Uddard also set up an iron manufactory, gained a licence to trade with Greenland, produced salt and tried to gain the conservatorship of the Scottish staple at Campvere. See *CRB*, 1615–76, 163, 168, 249. *RPCS*, 1st ser., xiii, 157, 294, 795–801. Lythe, *Economy of Scotland*, 40–1.

³⁵ *APS*, v, 223, 227, 228, 230, 239, 240.

³⁶ T.M. Devine and S.G.E. Lythe, 'The Economy of Scotland under James VI: A Revision Article', *SHR*, 50 (1971), 92–4, 103–06. Brown, 'Merchant Princes' in Lynch (ed.), *Early Modern Town*, 128, 140.

economic matters and achieved considerable success in protecting its own interests.

Taxation and Money-lending

Edinburgh's economic pre-eminence meant that the burgh paid by far the largest proportion of burgh taxation.³⁷ As an estate in their own right, the burghs traditionally paid one-sixth of the total amount of parliamentary levies. The amount that each owed was agreed in the convention of royal burghs, in proportions that were supposed to reflect their relative wealth. Although it is probably true that Edinburgh's tax burden did not reflect its stranglehold on international trade, it still paid 2.5 times more money than its nearest rival, Dundee, and over 177 times that of the smallest burghs.³⁸ Prior to the civil wars, there is no doubt that both James and Charles were seeking to increase and regularise tax revenues, by extracting larger sums from taxpayers, by asking for levies more frequently and by extending their duration. Frequency and duration were controversial enough—nobody likes paying more taxes—but the former issue was arguably the more important one, because it affected assessment. In broad terms, taxation was a traditional responsibility of burghership, but individual assessments of 'rent, leving, guidis and gear'³⁹ remained a closely-guarded secret. Any tax that sought to alter the means of assessment, especially by giving the government more information about personal incomes, was bound to be fiercely resisted.

King James proposed just such a tax in 1621. An innovative levy on annualrents (interest on loaned money) would have necessitated intruding into the money-lending activities of the Edinburgh merchant elite. There was strong resistance to the tax in the parliament held that year but, as the government had probably anticipated, the burghs could not secure enough support from landholders who would be largely unaffected by the new tax.⁴⁰ During the 1620s, Edinburgh

³⁷ What follows summarises L.A.M. Stewart, 'Parliamentary Taxation in Edinburgh, 1606–53' in S. Adams and J. Goodare (eds), *Seventeenth-Century Scotland* (forthcoming).

³⁸ ECA, SL135/1/2–3. *APS*, vi, pt. ii, 530.

³⁹ *APS*, iv, 144.

⁴⁰ J. Goodare, 'The Scottish Parliament of 1621' in *The Historical Journal*, xxxviii (1995), 46. It is not clear whether the costs of this tax were passed onto the borrowers by lenders illegally charging higher interest rates; Charles tried to address excessive interest rates in 1633 by insisting on the legal rate of 8 percent.

did experience higher tax bills, but much of the increase actually came in the form of an augmentation, known as the 'eik'. This sum was added on to parliamentary taxes by the town council to relieve the common good, with the express permission of the Crown and, almost certainly, the full knowledge of taxpayers. As a result, the town's public revenues went into the black for four years—the only time this happened between 1606 and the English occupation. Invasive assessments were also avoided in 1621 by compounding the ordinary tax with the annualrents tax. As a full investigation into money-lending would certainly prolong the moment when James could actually get his hands on the money, Edinburgh town council offered to add an estimate of the annualrents tax onto the ordinary levy, to be raised by the normal means of assessment. Naturally James was suspicious that Edinburgh was trying to con him, but once it was established how beneficial this arrangement would be to all parties, James had the good sense to agree.

Annualrents were taxed again when new levies were raised in 1626 and 1630, but compounding the sums continued to prevent the dreaded assessments into money-lending. This situation changed in 1633, when the estates voted Charles the largest, longest tax in living memory. As well as the ordinary and annualrents taxes, the king added another component. The act stated that to prevent lenders charging excessive rates of interest on loaned money, it would henceforth be set at 8 per cent. Those who had been charging interest at 10 per cent would be allowed to continue to do so for the next three years, but the 2 per cent difference would be given to the king as a tax, hence its moniker, the 'two of ten'. This time, it seems that Edinburgh, not the king, insisted upon assessing money-lenders, presumably because those who had kept within the customary limit of 8 per cent did not want to pay a tax designed to penalise usurious profiteering. Other features also made this tax contentious. The amount was so large, and the deadline so close, that the town council was forced to borrow money and repay itself from the collection of the tax. At the same time, the value of the eik had diminished in proportion to the tax paid and was unable to compensate for the council's borrowing. By the summer of 1637, Edinburgh town council was heavily in debt and in all likelihood another levy was less than two years away.

Taxation, and particularly the Crown's attitude to money-lending, links into broader issues about the changing nature of the urban

economy in early seventeenth century Scotland. With the expansion of trade in this period, wealthy Edinburgh merchants found they were taking in more money than they could spend. In the nobles and lairds whose desire for imported goods allowed those merchants to get rich in the first place, the Edinburgh elite also found a natural market for their credit facilities. None, perhaps, required those services more urgently than the permanently cash-strapped king, and no doubt his own fiscal embarrassment, as much as the complaints of the nobility, prompted the king to clamp down on excessive interest charges in 1611. A commission was established to investigate 'that most filthie and detestable cryme' and an act of parliament was passed to restrict interest rates to 10 percent. Michael Balfour, Lord Burleigh, along with the chancellor, advocate and treasurer deputy, were given a commission to pursue those practising usury. Almost all of those indicted by the privy council came not from the capital, but small, rural settlements, although inhabitants from leading burghs such as Perth or Dundee did also feature.⁴¹

Edinburgh had once again shown its powerful ability to protect its own interests. In October 1612, the town council asked Lord Burleigh to return to them all papers relating to prosecutions of Edinburgh usurers. Two months previously, the town council had generously offered to 'remitt and discharge' all the debts owed them by the king—if he proved willing to remit the prosecution of Edinburgh's usurers to the town council.⁴² Usury remained a persistent, if intermittent, political issue thereafter. The commission of grievances began an investigation into usury, but the issue was remitted to four prominent Edinburgh councillors, including the most well-known money-lender of all, William Dick. Nothing more was heard about it. A Caroline crusade against usury does not appear to have greatly affected the capital. Usury was condemned by the 1625 convention of estates, the short-lived commission of grievances reconstituted in March 1626, and the reconfigured privy council of 1631,

⁴¹ *RPCS*, 1st ser., ix, 251, 632 and index, *usury*. Three Edinburgh merchants, none of whom were politically significant, were indicted in 1612 but they seem to have escaped punishment, 401–2. *APS*, iv, 119–21, 473.

⁴² *Edin Recs 1604–26*, 74, 86, 87, 90. *CRB, 1597–1614*, 325, 329, 332. Edinburgh's success may have been linked to Burleigh's disgrace in the parliament of October 1612. For taking the wrong side in arguments over the size of the king's subsidy, Burleigh was dismissed from the council, *RPCS*, 1st ser., ix, 504–5.

but there do not appear to have been many prosecutions.⁴³ Money-lending had become the focus for innovative new taxes since 1621, and it may have been felt that vigorous pursuit of usurers, many of whom were influential members of the capital's socio-political elite, was too politically sensitive thereafter.

In much of the policy-making relating to the economy and taxation, Charles, as in almost every other area of government, was building on the foundations laid by his father. The pivotal issue for burghs was the assessment of money-lending. Burgesses not only feared that their private financial dealings would be exposed to their peer group, but also objected to a levy that for the first time targeted a form of income that had become highly lucrative. In this respect, 1621, not Charles's accession, was the memorable date in Edinburgh. If Charles arguably pushed too hard, too quickly on this policy, by worsening the town council's financial position while making the avoidance of individual assessments impossible, his policies also suffered through circumstance. James was the innovator who had taxed annualrents in the first place, but this happened during a period of prosperity, at least for those at the top of urban society.⁴⁴ By the 1630s, it seems likely that the economic climate was less favourable, while other policy areas were both costing Edinburgh money and undermining its liberties. There was no 'two of ten' riot, but a whole range of political problems, including taxation policy, may have tipped councillors into studied inactivity as the Prayer Book riots approached.

Jurisdictional Minefields

We have seen that in Edinburgh at least, the Jacobean privy council more or less provided the sort of government that suited a royal burgh with a cherished sense of its own autonomy. There was tension over issues such as monopolies or taxation, but on the whole,

⁴³ *RPCS*, 1st ser., xiii, 293; 2nd ser., i, 157, 241–42; ii, 189.

⁴⁴ The years 1621–24 were marked by famine, but for the upper echelons of urban society, this same period may have witnessed a property boom, an upward swing in foreign trade and the expansion of money-lending. Brown, 'Edinburgh Merchant Elite', 189–90, 220, 233–35, 269, 272, 286. Whyte, *Scotland before the Industrial Revolution*, 271.

James's government fulfilled the important function of mediating between king and locality. With the death of James and the accession of Charles I, there was an immediate change of emphasis. If James had seen giving counsel as one of the definitions of nobility, Charles was quite categorical about the subservient nature of the privy council: 'I think I should be obeyed quhen I send down my directions'.⁴⁵ By the tone of Mar's letters to Charles, he clearly thought that the 'treu hartt of aine honest auld servant' involved giving the young and inexperienced king the benefit of his wisdom. As far as James's servants were concerned, there was an assumption that as the king was no longer in Scotland, his policies would require a little tweaking to suit the vagaries of Scottish life. Mar had famously told Charles that this was how things had been in his father's day,⁴⁶ and the records seem to support this view. Edinburgh town council conducted most of its affairs directly with the privy council, without recourse to the king, unless a specific problem forced his attention. Suddenly, in 1625, the king became a much more active presence.

Of immediate concern to Edinburgh during the summer of 1625 was the programme for parish reform that had been instigated under James's reign.⁴⁷ While the town council were receptive to 'all his Majestie's royall intentionis', they were keen to secure a ratification of the ecclesiastical privileges previously granted to them. The royal response was ominous. Charles stated that he had no intention of interfering in Edinburgh's liberties, 'Bot till thay satisfie oure desire thay aught not to mak new propositionis unto us'.⁴⁸ Within four months of becoming king, Charles had demonstrated in the clearest terms that his father's methods were now out of date. There was no scope for negotiation or debate here—Charles would send his instructions to Edinburgh, where the privy council was expected to oversee the town council's compliance. Unquestioning loyalty to the divinely-ordained monarch would subsequently be rewarded.

On 1 November 1625, the privy council ratified the town's ecclesiastical privileges,⁴⁹ but the much bigger question of Edinburgh's charter, renewed and expanded by James into the 'golden charter'

⁴⁵ *Mar and Kellie*, i, 133, 145. *Basilicon Doron*, i, 87 [Waldegrave 1603].

⁴⁶ Lee, *Road to Revolution*, 32–33.

⁴⁷ See Chapter Two, 33–4.

⁴⁸ *RPCS*, 2nd ser., i, 102.

⁴⁹ *RPCS*, 2nd ser., i, 163–67.

of 1603, was still outstanding.⁵⁰ It seems that controversy had arisen over a new clause in the charter, granting Edinburgh the rights 'as well Regality as Royalty' throughout 'all Parts of the Country, as far as the Jurisdiction of the Sheriff of Edinburgh extends'.⁵¹ The king seems to have taken exception to the clause because it was prejudicial to numerous individuals whose own rights and jurisdictions were being infringed. Charles I's personal scrutiny of the capital was primarily intended to clear up any legal anomalies, but in practice the issue was turned into a jurisdictional minefield.

In April 1627, Edinburgh's request for clarification of the offending clause in the golden charter was debated in council. The faculty of advocates had been looking into the matter, and they reported that Edinburgh was claiming only that which previous grants had already allowed. In response, the admiral, the earl of Linlithgow, and the constable, the earl of Erroll, both complained that their privileges were being undermined. The prospect of yet more time-consuming legal wrangling infuriated Edinburgh town council, who archly informed the privy council that their charter still stood 'in vigour and force undischaigit', so there was no need for them to put their 'evidents' into the hands of lawyers. That Charles was the instigator of this process is corroborated by the fact that he specifically requested his privy council to assist the admiral in all matters 'proper and competent to the said office'.⁵² Perhaps Charles was genuinely attempting to protect and enhance royal offices—their status reflected on the image of the king. Or perhaps Charles was using startlingly unsubtle methods to force his northern capital both to recognise their dependency on royal favour and to carry out his ambitious plans

⁵⁰ *Edin Recs 1589–1604*, 315, 320, 376–86. ECA, Moses Bundle 1, no. 21. There is an index to the Moses Bundles which shows how the original charter differed from the 'scroll heads or signature' in Edinburgh's possession.

⁵¹ There is no record of complaints against the charter at the time it was granted. This translation from the original Latin charter is in W. Maitland, *The History of Edinburgh from its Foundation to the Present Time* (Edinburgh, 1753), 244–45. The original is in poor condition, *Charter-House of the City of Edinburgh*, no. 88. ECA, List of Historical Charters, James VI, Golden Charter, 15 March 1603.

⁵² The office of hereditary admiral had been conferred on the earls of Lennox, but the current earl was a minor. *RPCS*, 2nd ser., i, 588, 589–91. Erroll's position seems to have particularly tenuous. It was claimed that the criminal jurisdiction within a four-mile zone of the king pertained to his office, but in the absence of the king, this meant the parliament and privy council. Such a claim does not appear to have had a convincing precedent, yet it was, apparently, sustained. Goodare, *State and Society*, 80–2.

for religious reform. Whatever Charles's motives were, Edinburgh had expected the king to ratify their charter. Instead, he had wasted the opportunity to demonstrate goodwill towards 'the cheiff and heid burgh'⁵³ of his Scottish kingdom.

Charles's investigation into Edinburgh's charter had wider repercussions for the town. The possibility that areas of the town's extensive jurisdictions might be invalidated encouraged others to pursue their own disputes with the capital. In August 1627, the deterioration of Anglo-French relations prompted Charles to demand that forts be built at Leith harbour, which Edinburgh town council claimed it was willing to undertake at its own expense if 'the governement of the haille town of Leith' was conferred upon them.⁵⁴ This was a vexed issue with a long history,⁵⁵ and Leith was prepared to put up a spirited, if ultimately hopeless, defence. The magistrates of Leith enthusiastically exploited the tension generated by the dispute over Edinburgh's charter by dragging virtually anyone who had issue with the capital into the fray. During 1629–30, Leith produced interminable indictments against Edinburgh's 'illegall proceidings'. By this time, the court of session had become involved in sorting out whether Leith's inhabitants had the right to store victual without Edinburgh town council's consent. In March 1630, the earls of Moray and Linlithgow,⁵⁶ who both had their own axes to grind with respect to Edinburgh's privileges, swore to their fellow-councillors that they had not been supplying Leith with partial advice.⁵⁷ Although the so-called bargain of Broughton confirmed Edinburgh's superiority over North Leith, South Leith, Canongate and Pleasance in August 1636,⁵⁸ the entire unseemly affair had taken up town and privy council time for

⁵³ *Edin Recs 1626–41*, 65.

⁵⁴ *RPCS*, 2nd ser., ii, 44, 56, 57, 125–26, 159–61, 184–86, 187.

⁵⁵ By at least 1461, Edinburgh set the petty customs for goods coming into Leith. *Edin Recs 1404–1528*, 19. In 1560, Edinburgh had been sold the superiority of South Leith by Mary of Guise, then regent of Scotland. *RPCS*, 2nd ser., ii, 126. See also Lee, *Road to Revolution*, 139–41.

⁵⁶ Linlithgow was lord high admiral. Moray seems to have had tenants in Leith who were affected by the regulations pertaining to the storage of victual, *RPCS*, 2nd ser., iii, 640.

⁵⁷ *RPCS*, 2nd ser., ii, 44, 56–7, 642–44; iii, 494, 495, 497; iv, pp. xxix–xxxi, 78, 81, 241, 248–51, 598, 600–7.

⁵⁸ The details of the purchase of the barony of Broughton, conducted between the king, the earl of Roxburgh and Edinburgh town council, is best explained by Marguerite Wood. *Edin Recs 1626–41*, p. xv, 180. *Charter-House of the City of Edinburgh*, no. 91.

over eight years. In two key areas pertaining to Edinburgh's civil jurisdiction—its charter and its superiority over the essential port facilities at Leith—Charles I had shown that far from being the guardian of the burgh's liberties, he was the one questioning them.

The controversy over the 'manie strange clauses' in Edinburgh's charter dragged on for years.⁵⁹ By 1632, it may have been suggested to Charles that matters had got out of hand. On 9 February, Charles sent a letter to the privy council recommending that all cases pertaining to Edinburgh's 'accustomed' rights and privileges should be settled 'as our lawes doe allow with all convenient expedition'.⁶⁰ It was a partial victory for Edinburgh, but it would be another four years before the issue was resolved. In October 1636 the town was finally given a new charter, erecting them into a 'Royal City', but as was now seemingly typical of Charles, he expected something in return: Edinburgh agreed to renounce all rights of regality (and consequently the fines and escheats that went with them) while also accepting a reduction in the area over which it had jurisdiction.⁶¹ This may finally have ended the squabbles with the earls of Linlithgow and Erroll, which had persisted into the mid-1630s, forcing the town to trawl through its charter chest in search of grants dating back to the reign of James III.⁶²

The privy council's role in these disputes was to act as a mediator, enabling all sides 'to treatt and saddle all questiounes'.⁶³ However, the privy council were constrained from entering into independent negotiations because of Charles's highly detailed instructions. At all turns, unscripted deviations or unauthorised initiatives were taken as a slight to the royal prerogative, leaving all parties with very little room for manoeuvre. There is, of course, an important caveat about making direct comparisons between the last years of a long, largely peaceful reign and the first years of a new, vigorous regime involved in foreign wars. It was quite natural that Charles should want to enforce his own authority. There was bound to be an unusually high

⁵⁹ *RPCS*, 2nd ser., iii, pp. xvii–xxix, 422–23, 432–34, 427.

⁶⁰ *RPCS*, 2nd ser., iv, 432. *Edin Recs 1626–41*, p. ix.

⁶¹ Edinburgh's jurisdiction was reduced from the 1603 charter, to the town, its mills, waters and the mure, Leith, Newhaven and the roads leading thereto. Maitland, *History of Edinburgh*, 257–58. *Charter-House of the City of Edinburgh*, no. 91.

⁶² *RPCS*, 2nd ser., ii, 521, iii, 502, 630–31, 632–41; v, 107, 206, 298–300, 611.

⁶³ *RPCS*, 2nd ser., iv, 597–98.

level of activity in council, as Charles tackled Scottish issues of which he had no previous knowledge. He quite reasonably wanted to ensure that royal privileges had not been encroached on during his father's reign. In the process, however, Charles trod on the sensibilities of Edinburgh town council, by mistaking for disloyalty what was simply a justifiably high opinion of its own importance and a determination to protect its own particulars.

Political Privileges

Edinburgh's political relationship with the monarch had frequently been contentious during the sixteenth century. Royal interference to secure the town's loyalty was certainly not unknown,⁶⁴ with clashes of interest usually focusing on the annual election of the provost. For the generation of councillors serving after the riot of December 1596, the provost was a royal appointee and leading nobleman, but just over a decade later James had relaxed into a more accommodating frame of mind. From 1608, a former Edinburgh merchant and sometime provost, Sir John Arnot of Birswick, who was admittedly now an officer of state, was preferred to the provostship. At his death in 1615, Edinburgh began to select its leading councillor from amongst merchant burgesses with no overt connections to royal government.⁶⁵ This did not signal the end of careful royal monitoring of Edinburgh politics. James's controversial religious policies, aired in 1617 to less than universal approval,⁶⁶ made the need for a provost who was malleable to the king's will more imperative than ever.

When his king came to Scotland in 1617, William Nisbet had been provost since the previous September and was knighted that summer.⁶⁷ He seemed secure in his monarch's favour, until the king proposed five new articles for worship in the Scottish church. Unable to compromise his religious beliefs by supporting a policy rejected

⁶⁴ For Mary Stuart's policies towards the burgh, see Lynch, *Edinburgh*, 110–14. James's relationship with Edinburgh between 1585 and 1603 has not been investigated. Julian Goodare is currently writing on the 1596 riot. The details are in *RPCS*, 1st ser., v, 349–52 and Calderwood, *History*, vi.

⁶⁵ See Chapter One.

⁶⁶ Calderwood, *History*, vii, 246–56.

⁶⁷ *Edin Recs 1604–26*, 148, 167.

by family and friends,⁶⁸ Nisbet found himself ousted from the provostship in 1619 and replaced by men more willing to support royal policy. He reappeared as provost once more, in 1622,⁶⁹ to the disgust of the archbishop of St Andrews,⁷⁰ yet that very autumn, the king had insisted that only conformists should be elected as the town's magistrates. Perhaps the privy council had decided that a placatory measure was necessary; there were rumours circulating Edinburgh in the autumn of 1622 that James intended to bring in Catholic toleration. The story was given credence when news leaked out early the following year that Prince Charles had departed for Spain to pursue a marriage with the Infanta Isabella. It seems that Nisbet's nomination was allowed or even encouraged by a Scottish regime which was deeply anxious about how the Crown's foreign policy was being received in the burgh, particularly in the wake of parliament's ratification of the Perth Articles.⁷¹

The 1622 election was an anomalous event because in the eighteen years from 1619 to 1637, it was the only year when neither David Aikenhead or Alexander Clerk sat as provost. Both were seen as being too eager to implement royal policy,⁷² and it seems credible that Charles's exclusive preferment of these two men was based on the reputations they had acquired during his father's reign. Before 1625, however, there was no direct royal interference in elections; an order that all royal officials, advocates, sheriffs and town magistrates 'conforme' themselves to the new religious order had originally been considered sufficient.⁷³ In 1624, the resurgence of nonconformist activity in the burgh necessitated stronger words. At the request of the king, the privy council had 'verie earnestlie recommendit' to the town council that they select magistrates 'of whose conformitie and

⁶⁸ See Chapters Three (the Nisbet family) and Five (nonconformity).

⁶⁹ He sat as an ordinary councillor in 1623–24 and 1624–25.

⁷⁰ The archbishop stated in May 1623 'the Magistratis chusit for this year' were unsuited to the task of enforcing the Articles. *OLEAS*, ii, 713–14.

⁷¹ For rumours of Catholic toleration, see *OLEAS*, ii, 700–3. For wider concern about James's foreign policy that year and in 1623, see NLS, Wod.Fo.IX, ff. 173v, 190–93. Melrose's letter to James in April 1623 suggests that he wanted to ease enforcement of the Articles, *OLEAS*, ii, 711–12. For the town council election of 1622, see *Edin Recs 1604–26*, 237. ECA, Moses Bundle 195, no. 7036. The news that a Spanish match was being sought for Prince Charles coincided with setbacks in the Palatinate. W.B. Patterson, *James VI and I and the Reunion of Christendom* (Cambridge, 1997), 296–324.

⁷² Calderwood, *History*, vii, 304, 361, 488, 517, 597.

⁷³ Calderwood, *History*, vii, 512.

obedience to the orders of the Kirke ther was goode assurance'. The council politely assured their superiors that they would 'be respective and carefull in that point'.⁷⁴

James was not guiltless of interfering in the town council's political processes, but the manner in which it was carried out merits discussion. James did not decree who should be on the leets. He did not openly criticise any of the councillors by name. His views were made known and, once again, the privy council acted as the mediating influence. They did not enforce, they recommended. This enabled the town council to select a conformist provost, Alexander Clerk, in October 1624, while ensuring that important men were not completely excluded because of their religious affiliations—William Dick, a known nonconformist and future Covenanter, was elected bailie despite James's directions. William Rig remained on the council although he was under investigation for nonconformity and Nisbet himself also remained a councillor.⁷⁵ There was no reason to suppose, at this juncture, that Edinburgh's electoral procedures were at risk of being permanently over-ridden by the monarch.

With James's death in 1625, hopes were high of a more relaxed approach to religious conformity which would, in turn, diminish the king's need to control the chief offices of the burgh. An anonymous journal writer recorded that there were 'grite hopes of justice and pietie' from the new king,⁷⁶ but this period of mutual goodwill does not appear to have lasted very long. In September, just six months after James's death, the writer noted that Charles had expressed a desire that 'conforme men' be elected to the town council and that the Perth Articles be observed. This was 'thot strange' by those who had believed that their king wanted to express his zeal for 'religioun and peace'. Two years later, in September 1627, Charles signified his 'aernest care' for Edinburgh by insisting again that men who had proved themselves 'obedient to the ordouris of the church' be selected as magistrates.⁷⁷ In April 1628, just three years into his reign,

⁷⁴ *RPCS*, 1st ser., xiii, 611. *OLEAC*, ii, 765–67.

⁷⁵ *Edin Recs 1604–26*, 256. *RPCS*, 1st ser., xiii, 490, 521, 664. Calderwood, *History*, vii, 596–99. James did make named nominations to the town councils of St Andrews, Ayr and Cupar in 1611, but more work is needed on the context, *RPCS*, 1st ser., ix, 259, 277.

⁷⁶ This impression is given primarily by a set of propositions which may have been construed as presaging a cessation of the enforcement of the Perth Articles. *Stirling's Register*, i, 62–3. NLS, Wod.Qu.IX, f. 216.

⁷⁷ *Stirling's Register*, i, 208. NLS, Wod.Qu.IX, f. 219v.

Charles rebuked the ministers of Edinburgh for requesting that their parishioners be exempted from kneeling. No doubt most were convinced that it was 'bissie pepill' around the king and not Charles himself who should be blamed, but nonetheless, the journal gives an impression of genuine bewilderment at the king's actions.⁷⁸

These developments had important political repercussions. The anonymous journal suggests that Charles's accession had been greeted with high hopes, despite the Spanish Match affair. Goodwill was probably felt most keenly amongst a political elite who wanted to stop religious disputes undermining their authority within and beyond the council chamber. Charles could have capitalised on this to create the kind of loyalty amongst local leading figures that was essential to the effectiveness and stability of his rule. In his determination to be 'by all our subjectis obeyed',⁷⁹ Charles acted just as he had done over Edinburgh's charter, and in so doing, missed a brilliant political opportunity. By 1628, Charles was already displaying the authoritarianism and inflexibility that would contribute so decisively to the collapse of his government in 1638.

Charles's determination to make political advancement dependant on religious conformity intensified during the early 1630s. In August 1632, the king demanded that Edinburgh town council elect no 'unconforme man' as its provost and told the earl of Menteith (now earl of Strathearn) to 'recommend to them one of those that I have mentioned to you'. Charles made sure to point out that the burgh had been left to make its own 'free choice' nonetheless.⁸⁰ Alexander Clerk, a known loyalist, was duly made provost for the second year running, so why had Charles thought there was a problem? The reappearance of 'Sir William Nisbett of the Deane' on the council in 1631, after an absence of six years, reveals the reason. Fifteen years earlier, Nisbet had risen to prominence with the favour of James himself, yet this had not stopped him making an embarrassingly public show of his distaste for the Five Articles of Perth. If Charles was already contemplating those reforms to the Scottish church that would begin to take shape during his coronation visit, the very last man the king wanted to see in charge of his capital

⁷⁸ *Stirling's Register*, i, 271–72, 296. NLS, Wod.Qu.IX, f. 219v [quotation].

⁷⁹ *Stirling's Register*, i, 296.

⁸⁰ Charles to Strathearn, 15 Aug. 1632, *The Red Book of Menteith*, ed. W Fraser (2 vols, Edinburgh, 1880), 43.

was a confirmed troublemaker like Nisbet. He remained on the town council for three years, but disappeared again at the election of 1634—the same year that Charles again interfered in Edinburgh's political procedures.⁸¹

The motivation behind Charles's keen interest in Edinburgh town council was an ambitious scheme to dignify the capital's public buildings. A proposal by the town council to erect a parliament and session house in March 1632 dovetailed with a desire to clear out the various secular bodies occupying the western corner of St Giles' for want of alternative space. This may have been the necessary precursor to the king's demand, made the following year, that the new bishopric of Edinburgh should have St Giles' as its cathedral. To accomplish this, the town council would have to take down the partition walls that enclosed three separate parishes within St Giles' and provide new accommodation for two homeless congregations. Bringing order and dignity to what Charles saw as Edinburgh's chaotic system of worship had been on his mind since the early days of his reign,⁸² but the coronation visit in 1633 may have given Charles an opportunity to carry out an inspection before making pronouncements.

Things moved very slowly, however, and by 1634 it was not so much that the pace of reform had slackened as never quickened in the first place. There were good practical reasons for this. As well as a parliament house, the work on St Giles' and the two new churches, Edinburgh had also decided to erect a correction house and was still trying to complete George Heriot's hospital. All these commitments necessitated heavy borrowing, as did the enormous taxation granted in 1633, and by at least October 1634 the town was experiencing financial difficulties.⁸³ At around the same time, Charles demanded that Edinburgh use 'a ratable impositioun' to provide 12,000 merks (£8,000 Scots) each year for the payment of their ministers' stipends—a sum just under half the value of the town's tax burden for 1632.⁸⁴ Meanwhile, the costs of the parliament project

⁸¹ *Edin Recs 1626–41*, 97, 114, 132.

⁸² Charles pressed for the reorganisation of Edinburgh's parishes in July 1625, and allowed a tax on 'the whole inhabitantis' to pay for adequate stipends in December 1626. It would eventually become the 1635 Annuity Tax. *RPCS*, 2nd ser., i, 101, 488.

⁸³ *Edin Recs 1626–41*, 133–34, 145, 168.

⁸⁴ *Edin Recs 1626–41*, 135, 187. *RPCS*, 2nd ser., v, 209, 213, 232, 233–36. Chapter One, Table 1.1, shows that the council's expenditure was higher in the 1630s than

continued to rise, resulting in plans for a separate building for the privy council to be ditched. So large was the eventual outlay, estimated at £127,000, that even Charles I acknowledged how 'grievously burdened' the town had become.⁸⁵

The burgh was also under pressure from other forces. Contention over the jurisdiction of the lord high constable, perhaps prompted by the king's visit, resurfaced in the early months of 1634.⁸⁶ In May, an unexplained tumult was 'raised within this burgh' by the apprentice of George Ker, a tailor; Ker had also been involved in a craft riot in the summer of 1626.⁸⁷ Religious discord was once more in the spotlight, as the 'extraordinary' trial of Lord Balmerino rolled to its sinister conclusion, bringing people onto the streets and providing more grist for the nonconformist propaganda mill.⁸⁸ Squeezed by the demands of their monarch on the one hand, and the expectations of the community on the other, 1634 was undoubtedly a troubled year for Edinburgh's magistrates.

It was also the year that Charles ran out of patience with the Scottish capital. Dismayed by continuing resistance to his religious policies amongst the capital's inhabitants and by the council's foot-dragging on the church reform programme, the king acted decisively. In September 1634, Charles sent a letter direct to the town council stipulating which individuals would be elected as magistrates for the coming year. David Aikenhead was nominated as provost, although it is not known whether Alexander Clerk, who had been in post for four years, saw the development as a respite or a rebuke. Little is known about the affiliations of most of the council; John Sinclair, dean of guild, was a conservative who had represented the burgh at the controversial 1633 parliament, while two bailies, Archibald Tod

at any point in the preceding decade. Chapter One, Table 1.2, shows it was increasingly reliant on borrowing to meet its obligations.

⁸⁵ Hannay and Watson, 'Parliament House', 76, 78. A. MacKechnie, 'The Crisis of Kingship: 1603–1707' in M. Glendinning (ed.), *The Architecture of Scottish Government: From Kingship to Parliamentary Democracy* (RCAHMS, Dundee, 2004), 100. ECA, Town Treasurer, v, 1173–4, 1183–4. ECA, Town Treasurer, vi, Account 1636–37, 12, 26–7; vi, Account 1637–38, 23.

⁸⁶ The earl of Erroll claimed he was 'supreme judge' within a four-mile radius of the king, parliament and privy council. *RPCS*, 2nd ser., v, 206, 611. See above, n. 52.

⁸⁷ *Edin Recs 1604–26*, 3. *Edin Recs 1626–41*, 144–45.

⁸⁸ NLS, Wod.Qu.IX, ff. 358, 359, 365–68, 369–71, 379.

and Edward Edgar, would be politically active during the 1640s.⁸⁹ 'For obedience', the town council did as they were bidden, but they were baffled as to why the king's 'most obedient vigilant and cairful' subjects should be treated in such a dishonourable fashion. The new town council were, understandably, less keen to make it an issue, provided the burgh's liberties were not being permanently prejudiced. Fearing that a petition would risk the loss of Charles's favour, they settled for asking the clerk register and former town clerk, Sir John Hay, and William Alexander, earl of Stirling, secretary for Scotland in London, to put a word in the king's ear instead.⁹⁰

Unusually, the details of the 1634 election (nomination might be more accurate) were so well-known outside the council chamber that public reactions were recorded in a contemporary journal. It was reported that:

the counsall thocht it ane grit noveltie, and sua said. And quhen it wes hard of amangis the pepill, many said it wes ane extraordinar matter, and utheris said the king suld be obeyit, and so it bred grit diversitie of opinions, not onlie amangis the counsall bot alsua amangis the pepill of the toun.⁹¹

As in the 1620s, when James had been informed about events in Edinburgh to which many thought he should have remained oblivious, it was the ultra-royalist Sir John Hay who was rumoured to have engineered the affair. He had already made himself extremely useful to the government during the 1633 parliament when, as clerk register, he had proved to be an indispensable tool in the management of the proceedings. About three years previously, Hay, along with some leading townsmen who were 'of his mynd', had concocted 'designis' that were presumably aimed at enabling the king to select Edinburgh's magistrates on a permanent basis. This was probably the same year that David Aikenhead's five-year provostship had ended and Alexander Clerk had been preferred to the position. It seems that Hay was outmanoeuvred, however; unnamed persons had 'hindert' his machinations. If the unwelcome developments of 1634 had antecedents, then the outrage of certain sectors of the political

⁸⁹ J.R. Young, 'Charles I and the 1633 Parliament' in Brown and Mann (eds), *Parliament and Politics*, 121. See Appendix, Table 1 for office-holders. Edgar was more closely associated with the Covenanting regime than Tod, see Chapter Seven.

⁹⁰ *Edin Recs 1626-41*, 149, 150.

⁹¹ NLS, Wod.Qu.IX, f. 362v.

community is all the more understandable. The journal writer made it clear that Edinburgh's population were sufficiently politically aware to recognise that something was amiss:

thair wes nevir the lyke letter direct of befor for that purpois, naming the particular men to be chosin, albeit sumtymes thair wer letters direct of befor for choising of the magistrattes of conforme men, and sumtymes of sic men in generall as wes thocht meit for the tyme for his majesties effairis, allwyis the magistrattis and haill counsalors being convenit . . .

This was not what had occurred in 1634, however:

Eftir sum earnest reasoning and diversitie of judgement, the particular persounis befoirnamit wer litit [leeted] amongis the personis that suld be chosin to beir office. And upoun tysd[a]y thaireftir in a solemne meiting, according to the ordor as magistrattis ar chosin, the saidis particular personis wer chosin magistrattis, and that for obedience of his majesties letter, eftir lang contentioun, quhilk bred gritt murmuration amongis the pepill as being done altogidder contrair to the libertie of the toun. And the electioun that day continwit and abaid longer tyme then the ordinar yeirlie electionnes of befor did, be reason of the diversitie and contradicioun of judgementis in the counsall hous, sua that all the commoun pepill for the maist part wer assemblit on the streites to sie the maner of the new electit magistrattis furthcuming, as had not bene sein for many yeiris of befor, and yit the new magistrattis and thair cumpany when thai come furth wer bot a few nowmer far inferior to the cumpany that acumpanyit the magistrattis at thair first electioun in the yeiris preceeding.⁹²

The final few lines suggest that while the common people swarmed onto the streets to find out the latest gossip from inside the chamber, the wider political community expressed their dissent at the illegitimate proceedings by failing to accompany the new magistrates on their first progress onto the High Street. In a world where being surrounded by one's friends was an important political tool—consider Balmerino's Edinburgh supporters walking with him to his trial⁹³—this must have been an embarrassing moment for the new town council.

Edinburgh was not the only burgh whose electoral procedures were being tampered with in the 1630s. In 1634, the king interfered

⁹² NLS, Wod.Qu.IX, ff. 363. Hay's activities in the 1633 parliament are elucidated in Young, 'Charles I and the 1633 Parliament', 115–17.

⁹³ Lee, *Road to Revolution*, 159.

directly in Aberdeen's council election by insisting on the removal of the recently elected provost, Patrick Leslie, whose 'careage at our late parliament' had displeased the king. He was replaced by Sir Paul Menzies, but Menzies was hardly an ideal choice either, as his close association with the powerful Gordon family apparently allowed rogue members to turn Aberdeen into the seventeenth-century equivalent of a Wild West town. As elections approached the following year, the earl of Traquair took it upon himself to inform the king, via the marquis of Hamilton, that the bad company kept by certain people in Aberdeen was compromising royal authority. Charles agreed, and sent in the new bishop of Aberdeen, Adam Bellenden, to make sure that neither Leslie or Menzies were elected. Uproar ensued. Bellenden was forced to dissolve the election, the king received the unsatisfactory news, Leslie renounced his place on the council (apparently at his own behest) and in the end a relative outsider, Alexander Jaffray, was given the provostship on the king's instruction.

The incident is revealing about Charles's style of government. Tensions in Aberdeen, as in Edinburgh, were exacerbated when heavy-handed royal interference turned local disagreements into a crisis of burghal political independence. Traquair seems to have been the principal driving force behind the progress of events in 1635. It was Traquair who sought to enhance the case for royal intervention, while his advise was clearly designed to appeal to the king's sensitivities regarding royal authority, regardless of how this would play out in Aberdeen. The assertion put forward by Traquair, that the king had the 'powar and priviledge' of nomination, was rejected by indignant councillors, who pointed out that Charles's father had confirmed their right to select magistrates forty years previously. The crowning insult to burgh liberties was the intrusion of an outsider into their electoral proceedings, whose claim to be acting with the authority of a privy councillor, rather than as a bishop, cannot have been much justification for his presence in the eyes of offended magistrates. Although the privy council was involved, its role does appear to have been restricted to relaying instructions. This provides a subtle contrast with the 1620s, when a privy council confident of its own abilities had tried to keep James out of Edinburgh town council's political problems and had attempted to act as a mediator between them.⁹⁴

⁹⁴ Bellenden had recently been removed from the bishopric of Dunblane, which

Increasing levels of royal interference in local government during the mid-1630s provide an important political context for the Prayer Book crisis. While the king's men ruminated on how to gain quiet acceptance of an unpopular Prayer Book, others began to plan just the opposite. It is hard to believe, given how nonconformity had permeated the urban elite, that David Aikenhead and his council did not know that something was brewing.⁹⁵ Failed yet again by his servants in the capital, Charles seems to have become convinced that the problems in Scotland were of personnel, not of policy. On 25 September 1637, the privy council sent out missives to several burghs, including Edinburgh, regarding the 'choosing of thair magistrats',⁹⁶ but this was not the end of the matter. Conveniently for Charles, the death of David Aikenhead in August 1637 removed a potentially influential opponent of his plan, which first manifested itself on 18 September. Sir John Hay produced a letter for the town council which stated that to secure 'the peace of that Citie', Charles had decided that the provostship should go to 'one of whose sufficiencie frome oure owne knowlege we have assurance'. Charles's most loyal servant was none other than Clerk Register Hay, who was not a merchant and had formerly been town clerk. Although the council obeyed, they also did all they could, within the rigid confines of the king's instructions, to adhere to their customary forms. On 19 September, Hay, Alexander Clerk and the long-serving councillor John Sinclair were put on the leet and Hay duly elected.⁹⁷ At the proper time for the election, however, Sinclair was removed from the leet and William Dick put in his place. It was a mark of things to come—Dick would be elected provost in 1638 and in 1639, while Clerk, who still seems to have carried the confidence of his peer

included the deanship of the chapel royal, for his dilatoriness over the use of the Prayer Book, see Chapter Five. Bellenden, or someone on the town council, may have been Traquair's source of information. NAS, GD406/1/984, Traquair to Hamilton, 13 Aug 1635 [quotation]. *Extracts from the Council Register of the Burgh of Aberdeen, 1625–1642*, ed. J. Stuart (SBRs, 1871), 71, 73–4, 83–8, 89–95. *RPCS*, 2nd ser., vi, 117, 143, 144, 172–74, 177–78. D. Stevenson, 'The Burghs and the Scottish Revolution' in Lynch (ed.), *Early Modern Town*, 176. *Edin Recs 1626–41*, 179. DesBrisay, "'The Civill Wars'", 241.

⁹⁵ Nonconformity is discussed in Chapter Five. Aikenhead may have been in ill-health at this point, but there were four bailies who had sufficient authority to take temporary control of the council.

⁹⁶ Linlithgow, Perth, Ayr, Irvine and Glasgow were the others, *RPCS*, 2nd ser., vi, 533.

⁹⁷ *Edin Recs 1626–41*, 194.

group despite his associations with royal policy, became provost in 1640.

Hay's image as the ultimate royal lackey was spun by his opponents in the nonconformist camp, but there is no doubt that their assessment of him as 'ane politik man' (and hence not to be trusted) was quite correct. While Hay left the burgh in disgrace in September 1637, Clerk remained to show that religious dispute could be kept out of the council chamber, even if it dominated discourse outside it.⁹⁸ The delightfully vitriolic Calderwood may have despised Clerk's conformity,⁹⁹ but at least he was not associated with the type of divisive and devious plotting which ultimately caused Hay's downfall. Although political fault lines within the highest levels of Edinburgh government were certainly linked to nonconformity, the problem was political, too. It was bad enough to know that one's career prospects were being determined by a monarch who was distant in every sense of the word, rather than the local political community. This was nothing especially new, but what Charles did, and James did not, was threaten the burgh with permanent suppression of the right to hold its own elections. Charles's eventual aim, mooted in 1636, was the establishment of a 'constant council', which would have done away with the tiresome unpredictability of annual elections. While James's tinkering with Edinburgh's elections had been motivated by the attempt to safeguard his religious settlement, Charles was being altogether more ambitious. His actions suggest he was seeking a complete re-ordering of urban politics, which would complement church reforms to reflect the dignity and reverence of monarchy itself. Little wonder, therefore, that when the riots came, many of the 'better sort'¹⁰⁰ failed to take pre-emptive action against the conspirators and may even have assisted them.

Personal Monarchy, Prerogative Rule

In this summary of Charles's interaction with the town council, the impression given is that the privy council had been sidelined. As a

⁹⁸ Inglis, 'Sir John Hay', emphasises his loyalty to the king, but glosses over his unpopularity in Edinburgh. See also Calderwood, *History*, vii, 441, 617. NLS, Wod.Qu.IX, ff. 118r, 121r–122f, 140r, 146r, 238r, 346f, 417r–418f, 421f.

⁹⁹ Calderwood, *History*, vii, 428.

¹⁰⁰ Gordon, *Scots Affairs*, i, 10.

body, it simply did not have a job to do if Charles was going to direct affairs personally, and this increasingly seems to have been the situation during the 1630s. There are suggestions that ambitious privy councillors, notably Traquair, avoided consultation with their colleagues and acted, not with the authority conferred by the council, but with the authority conferred by the king onto individual councillors. The privy council, as much as the urban governments they dealt with, found that the relationship with their monarch had become an intrusively personal one. Did this make the council a rubber stamp for the king's will? Had Charles successfully created 'a body of men utterly dependent on him and afraid to contradict him',¹⁰¹ or was the monarch simply a man whose youth and energy meant he was bound to become more heavily involved in government affairs?

As indicated previously, the absence of James VI did not result in the privy council ceasing to function. The privy council, nominally composed of some fifty peers and officers of state, but normally consisting of a core membership of around a dozen, was the executive power in Scotland. Arguably it was the king who was the rubber stamp, at least in the 1610s and 1620s, signing his name to documents which were the culmination of negotiations and enactments already carried out by the privy council. Part of James's evident trust in his council, apart from the fact they were all his friends, was their experience of the king's governing style and the business of government itself. This situation changed in Charles's reign, as the young king sought to have his own men govern Scotland. The likely deterioration of the effectiveness of royal government must be considered as a factor in why Edinburgh should have been the flashpoint for religious unrest, and why the town council eventually accepted the National Covenant.

Maurice Lee's as yet unsurpassed work on post-1603 Scottish government maintains that James VI's talent as an absentee monarch lay in his ability to select 'capable subordinates'.¹⁰² Keith Brown corroborates Lee's argument that the leading figures on the privy council were experienced men with networks of influence in Scotland and at the English court, but has modified Lee's assessment of their effectiveness. By the later 1610s, the privy council was headed by

¹⁰¹ Brown, *Kingdom or Province?*, 100.

¹⁰² Lee, *Road to Revolution*, 4.

men who had long since left their youthful vigour behind them and were content to 'manage' not innovate. Julian Goodare goes further. By the 1620s, the triumvirate of Thomas Hamilton, Lord Binning and earl of Melrose, Sir George Hay of Kinfauns, Viscount Dupplin and earl of Kinnoul and the king's childhood friend, John Erskine, 2nd earl of Mar no longer reflected the 'wide spectrum of political opinion' which James had been so good at creating thirty years earlier.¹⁰³ Even Charles, writing to 'yow thrie' in April 1625, recognised that it was James's 'approbation' which had made their dominant positions in Scotland seemingly unassailable.¹⁰⁴

Charles was probably unhappy at the amount of power these three men wielded in 'that our kingdom', preferring to work through an administration which was defined more by his wishes than by what James's had been. While this was quite understandable, the absence of the monarch from Scotland made it all the more imperative for a new king to take the advice of those who were intimately acquainted with the business of running the country.¹⁰⁵ The Revocation reveals how little regard Charles had for the opinions of his Scottish servants or for the country's independent political and legal frameworks. The scheme was of dubious legality and had been poorly explained, thereby raising fears that it was intended to bring about the 'irreparable ruine' of the landholding elite. Even if this was a blunt rhetorical device, it still reflected genuine distrust of the monarch's intentions and fomented even more ill feeling against the bishops. On this, as on other matters, Charles proved singularly unwilling to accept the advice of James's aging cronies. They continued, unimpeded if unheeded, to give their opinions, but their positions were under sustained attack from jealous rivals who told the king what he wanted, rather than needed, to hear.¹⁰⁶

¹⁰³ Brown, *Kingdom or Province?*, 94. M. Lee, 'King James's Popish Chancellor' in Cowan and Shaw (eds), *Renaissance and Reformation*, pp.180–81. K.M. Brown, 'Courtiers and Cavaliers: Service, Anglicisation and Loyalty Among the Royalist Nobility' in Morrill (ed.), *Scottish National Covenant*, 174–75. J. Goodare, 'Scottish Politics in the Reign of James VI' in J. Goodare and M. Lynch (eds), *The Reign of James VI* (East Linton, 2000), 50. See also *Scots Peerage*, iii, 369–72; iv, 311–12; v, 220–23.

¹⁰⁴ W. Fraser (ed.), *Memorials of the Earls of Haddington* (2 vols, Edinburgh, 1889), ii, 88–9.

¹⁰⁵ Donald, *Uncounselled King*, 16–17, 20–21.

¹⁰⁶ The earl of Mar's assumption that his role was to give Charles blunt and truthful advice is a fascinating insight into the differences in style between the two kings. *Mar and Kellie*, i, 133, 141–42, 151–55, 156. Macinnes, *Covenanting Movement*, ch. 3. Donald, *Uncounselled King*, 18–20. Lee, *Road to Revolution*, 44–66.

The Revocation was barely an issue in Edinburgh, because along with the other burghs they had managed to negotiate a deal ensuring that their teinds would be used exclusively to sustain ministers, schools and hospitals.¹⁰⁷ There was consequently no direct political fallout for Edinburgh town council. Other aspects of Charles's new regime were causing problems, however. By the mid-1630s, Charles's privy council had more or less become an emasculated rump of yes-men, limited in their administrative experience or capabilities and squabbling amongst themselves for the spoils left in the wake of the triumvirate's demise.¹⁰⁸ Their role as an autonomous mediating body was being threatened by the appointment of a London-based secretary for Scotland,¹⁰⁹ which had created a separate channel of communication between king and country. Their authority was also being compromised by Charles's promotion of the episcopate into secular office, exemplified by Archbishop Spottiswoode's acquisition of the chancellorship in 1634. Spottiswoode was an able and experienced politician, but his clerical status aroused the resentment of the nobility, while his advancing years weakened his ability to resist growing factionalism.¹¹⁰ Historians have consequently identified a serious deterioration in the privy council's authority which contributed significantly to the collapse of royal authority after July 1637.¹¹¹ What were the repercussions in Edinburgh?

It has been suggested here that the ideal relationship between town and privy council was one whereby the latter gave unobtrusive support to the former. Although Lee has suggested that Edinburgh's intimidation of its neighbour burghs made the relationship between town and privy council 'difficult' in the early seventeenth century,¹¹² there was little suggestion that Edinburgh's liberties were under threat.

¹⁰⁷ Macinnes, *Covenanting Movement*, 62. *Edin Recs 1626-42*, 24, 38.

¹⁰⁸ For discussion of the men advanced by Charles, see Lee, *Road to Revolution*, 23, 32, 47-8, 97, 106, 109, 121, 123, 126, 156-57. Brown, 'Courtiers and Cavaliers', 162. *Scots Peerage*, v, 222; vi, 375-77, 485-86.

¹⁰⁹ William Alexander, 1st earl of Stirling. *Mar and Kellie*, i, 153-55, 173. *RPCS*, 1st ser., xiii, 2nd ser., i, introductions. *Stirling's Register*, i, 28. Brown, 'Courtiers and Cavaliers', 162.

¹¹⁰ Lee, *Road to Revolution*, 154-55, 176, 190, 192.

¹¹¹ Donald, *Uncounselled King*, 38. Brown, *Kingdom or Province?*, 100-1. Macinnes, *Covenanting Movement*, 40, 44-5. Lee sees Charles weakening his system of government, which was then incapable of implementing his policies, *Road to Revolution*, 4, 33, 240-41.

¹¹² Lee, *Road to Revolution*, 138-41.

In other areas, particularly economic affairs, James's councillors at the very least kept the town informed on developments and often consulted with them. Most of the time, however, the town council were left to carry out their own work largely unimpeded by bureaucracy. James aided this development (perhaps unwittingly) by letting the privy council deal with the irritating details he had no interest in, which was made possible because his servants were respected. In this set-up, Edinburgh reaped the benefits of being ruled by a king who was 'both distant and attentive'¹¹³—although this situation was later jeopardised by James's religious reforms.

Conversely, under Charles, Edinburgh suffered the whirlwind of being ruled by a king who was both remote and meddlesome. With the privy council neutralised into passivity, the town council had lost their customary buffer-zone, which could protect them from the king's more unpalatable demands. This left the town council facing the full force of Charles's increasing impatience with Edinburgh's 'strange'¹¹⁴ jurisdictions and its high level of political self-awareness. Moreover, war with Spain and France after 1625 had left the burghs vulnerable to the accompanying downturn in trade.¹¹⁵ An authoritative privy council was needed to advise the king that the burghs were under a great deal of pressure and that policy, particularly on taxation,¹¹⁶ should reflect that fact. In 1637, Charles had reigned for only twelve years and if he had inherited his father's longevity he could be expected to live for another two or three decades. For the current and upcoming generations of town councillors in Edinburgh, the future looked bleak. The town's interests were not being adequately addressed either by the privy council or the king, while Charles's direct interference in burgh elections carried the very real prospect of permanent exclusion from political influence. Those most at risk politically were, of course, the opponents of crown religious policy, but their fears were being shared by a wider constituency who realised that if today one group was marginalised, tomorrow they might be next.

Giving a context to the Prayer Book crisis which looks beyond radical circles is essential. Concentrating on the politically disaffected

¹¹³ Schama claims that *government* was distant and attentive, but this better describes the monarch, Schama, *British Wars*, 32.

¹¹⁴ *RPCS*, 2nd ser., iii, 433.

¹¹⁵ Lee, *Road to Revolution*, 30.

¹¹⁶ Stewart, 'Parliamentary Taxation'.

and their nonconforming cohorts shows the forces working to bring down the Caroline regime, but does not explain why those forces were stronger than the ones upholding it. The view from the inside has not been properly explored, but without a systematic study of the operation of post-1603 government and its leading personnel, firm conclusions remain elusive. In terms of civil government—religious policy is yet to come—any structural failings remained disguised by the experienced privy council operating in Scotland during James's lifetime. At least in its dealings with Edinburgh town council, the privy council showed itself responsive, pragmatic and willing to delegate. By clearing out the men who were so good at this, and replacing them with those who did not have their range and depth of experience, Charles produced a situation in which Edinburgh's interests no longer had a sympathetic forum. When this was coupled with Charles's attempts to compress Edinburgh's political and jurisdictional horizons, loyalty to the Caroline regime in the capital was compromised. This was the vital backdrop to the Prayer Book riots, the tinder waiting for the spark of religious unrest:

Nou the fyre being throughlie kendled, and the flames therof bursting fourth in every corner of the kingdome, and with such unexpected furey and impetuosity, as it was past both the skill and pouer of his Maiesties privey counsaill to quenche it.¹¹⁷

¹¹⁷ Balfour, *Works*, ii, 257.

CHAPTER FIVE

A CULTURE OF DISSENT: THE FIVE ARTICLES OF DEBATE

The Watchtower of the Kirk

On the morning of Sunday, 23 July 1637, the congregation of Edinburgh's north-west parish convened, as usual, in the High Church of St Giles'. Town councillors, privy councillors, lords of session and senior ecclesiastical figures were all present. The service had barely begun when 'a number of the meaner sorte of the people, most of them waiting maides and women' began a fracas which was joined by the 'tearing and crying' of the gentlewomen. A shout went up that 'the Masse was entred amongst them'. David Lindsay, bishop of Edinburgh, attempted to continue regardless but, when he rose to his feet, the people 'beganne to throw at him stooles and ther verie bybles'. The women called him 'False Antichristian Woulf, beastlie Belligod and Craftie Fox'. Archbishop John Spottiswoode tried in vain to calm everyone down. At his behest the provost and bailies got out of their seats and, 'with much tumult and confusione', evicted the rabble from the church. This was just a prelude. When the dean, James Hannay, opened his mouth to speak, a great clamour broke out, necessitating another intervention from the bailies. The service was abandoned, but by this time a mob had gathered on the High Street which was sufficiently threatening in its attitude to warrant a rescue of the bishop of Edinburgh by the servants of his neighbour, the earl of Wemyss. In the afternoon, the service did go ahead in St Giles', to a restricted congregation shorn of disagreeable women, but disturbances continued outside and when it was over, lord privy seal, the earl of Roxburgh, and the bishop were assaulted as they crossed the High Street.

This version of the infamous Prayer Book riot is primarily that of James Gordon of Rothiemay¹—a man who was sufficiently well-

¹ Gordon, *Scots Affairs*, i, 3, 7–10. It is conceivable that Gordon knew people in Edinburgh but his account of events in 1637–38 is similar to [W. Balcanquhal],

acquainted with Edinburgh to produce a map of the town for the council in 1647. The tumult was 'the faire, plausible and peacible wealcome' Archibald Johnstone of Wariston believed this 'vomit of Romisch superstition' deserved. Across town at Greyfriars', similar 'peturbationis' persuaded Andrew Ramsay against its use, and he, along with most of Edinburgh's clergy, suspended their sermons.² Two separate accounts make an interesting observation. Gordon was convinced that the multitude 'had mor then a bare connivence of many of the better sort to sett them to worke'. Spalding went further, and claimed that not only were the town's magistrates 'upone the counsall of this disorder' but that the nobility had devised the protest.³ If these statements are true, the question is not simply, why did this disturbance happen. Rioting, while not a frequent occurrence, was hardly an outstanding one in Edinburgh history. Another question is why the political elite did not prevent it, or were unable to prevent it.

Historians of Caroline Scotland have shown that the king's political policies had alienated the local magnates who should have supported his efforts to homogenise religious practice in Scotland with that of England. The profound piety of men such as Lord Lorne, future 8th earl and 1st marquis of Argyll, or John, 2nd Lord Balmerino, was relatively rare amongst a landed elite whose instinctive conservatism favoured a church that reflected the existing social hierarchy. Echoing what had occurred in the 1560s to secure reformation in Scotland, Charles unwittingly managed to unite political disaffection with religious zeal. There is no reason to challenge this broad assessment of what occurred in 1637, but other issues need to be considered in order to build a comprehensive picture of the crisis and how it developed into a revolution (albeit a socially conservative one).⁴ That Edinburgh should have been the venue for the riot deserves attention, because the *first* reading of the Prayer Book did not occur in Edinburgh on 23 July. It had already been used by

A Large Declaration Concerning the Late Tumults in Scotland... (London, 1639). See also NLS, Wod.Fo.XXIX, ff.24–5.

² Wariston's *Diary*, 265, 267. J. Spalding, *Memorialls of the Troubles in Scotland and England 1624–45*, ed. J. Stuart (2 vols, Spalding Club, 1850–51), ii, 79–80.

³ Gordon, *Scots Affairs*, i, 10. Spalding, *Memorialls*, ii, 79.

⁴ Stevenson, *Revolution and Counter-Revolution*, 232. Stevenson, *Scottish Revolution*, chs. 1, 2 and 9. Donald, *Uncounselled King*, ch. 1. Consider also Lee, *Road to Revolution*, Macinnes, *Covenanting Movement*.

two principal exponents of the scheme, John Maxwell, bishop of Ross, and James Wedderburn, bishop of Dunblane, in his capacity as dean of the chapel at Holyroodhouse. Moreover, an English liturgy had apparently been employed in New College at St Andrews University and in some of the cathedrals 'for divers yeeres'.⁵ This suggests that the opponents of the Prayer Book had intentionally selected the capital to stage their gesture of defiance; they had done this because Edinburgh was both the seat of secular authority and the natural guardian of the reformed church in Scotland. The latter aspect was linked to a subculture of dissent that had sunk tenacious roots into the capital's social and political circles by at least the 1590s. That culture, and its self-conscious identification with Edinburgh, would be an instrumental factor in the collapse of the Caroline regime.

Neither the Prayer Book, nor the riots they precipitated, dropped unheralded from the clear blue sky of a Scottish summer's day. If Edinburgh's brand of protestantism had tended towards piety rather than radicalism in the first decades of reformation,⁶ this propensity did not become permanently ingrained. By the 1590s, Edinburgh had, for a variety of reasons, become the unrivalled hub of Lowland spiritual life. With the organs of government already in residence, and as a frequent host of conventions of the estates, it was natural that the general assembly would also choose to meet in the capital. Between 1560 and the mid-1590s, when King James began to impose his own authority more forcefully on the church, general assemblies took place almost exclusively in Edinburgh, at least once a year, and sometimes more frequently.⁷ The capital was an attractive destination for ambitious, talented clergymen seeking pecuniary benefits, stimulating parish life and a high public profile. With the creation of a college in the early 1580s, Edinburgh was able to present itself as an intellectual centre which, unlike its august rivals, Glasgow, St Andrews and Aberdeen, was free of a resident bishop. Under its brilliant first principal, Robert Rollock, the college established its scholarly credentials while also producing such luminaries of the Jacobean presbyterian vanguard as Robert Boyd, John Row, John Welsh and, of course, David Calderwood.⁸

⁵ Gordon, *Scots Affairs*, i, 4. [Balcanquhal], *Large Declaration*, 20 [quotation].

⁶ Lynch, *Edinburgh*, 37–8.

⁷ *BUK*, iii, Appendix, pp. xlvii–xlviii.

⁸ Mullan, *Scottish Puritanism*, 18–24.

During the 1580s and 1590s, Edinburgh's reputation for radicalism was sealed, not least in the mind of King James. While Edinburgh's leading merchants came to understand the fundamental truth that 'it is the king we have to do with', the ministers, often with popular support, were far more hostile to attempts at court control of the pulpits. The confused events of 17 December 1596, when Edinburgh's ministers were implicated in a supposedly spontaneous armed rising by the good and godly, supposedly to protect the king and his government for overthrow by catholics, seemed to define the period for a generation of the capital's inhabitants.⁹ For those who lived through James's subsequent, gradual reimposition of an active episcopate on Scotland, 17 December became a totemic date. It seemed to signify the moment when reformation went into reverse gear, but at the same time, it confirmed that Edinburgh, not the king, was the true guardian of the reformed church. This was rhetoric that played well with a marginalised band of increasingly bitter presbyterians, but in the two decades following that infamous riot, it was largely irrelevant to a burgh which was reaping the benefits of unparalleled political stability and economic prosperity. Had James conveniently died in the mid-1610s, the loyal burgh of Edinburgh would have mourned the passing of Solomon with genuine regret.

Recent research has rightly queried the idea that James's mixed system of bishops and presbyteries 'worked surprisingly well' in Scotland.¹⁰ There does appear to have been some absenteeism from presbyteries where bishops had been made permanent moderators, while the writings of people like David Calderwood or William Scot make it clear that for some, the episcopate would never be acceptable. For many ministers and their congregations, however, the arguments over bishops were probably not as important as the day-to-day issues that fill up the pages of kirk session books. Meanwhile, a predominantly well-educated, diligent episcopate got on with the business of spreading the Word to the far corners of the kingdom and eradicating Catholicism.¹¹ If James had really intended to stop there,

⁹ Lynch, *Edinburgh*, ch. 8 [quotation, 164]. For events leading up to 17 December, see MacDonald, *Jacobean Kirk*, 51, 66–70. I am grateful to Julian Goodare for clarifying some of these points with me.

¹⁰ Foster, *The Church before the Covenants*, ch. 3 [quotation, 199].

¹¹ The available evidence on absenteeism comes from a handful of presbyteries and may not have been particularly widespread, MacDonald, *Jacobean Kirk*, 150–55. See also D. Mullan, *Episcopacy in Scotland: The History of an Idea, 1560–1638* (Edinburgh, 1986), 162–64.

it is probable that such a form of moderate episcopacy would, in time, have become tolerable. The dire warnings of imminent disaster coming from the presbyterians, now an aging band of has-beens, would have looked too much like the rantings of men whose unrealistic ambitions had resulted in permanent exclusion from royal favour.

The Five Articles of Perth

By 1612, James had persuaded both general assembly and parliament to accept the full jurisdictional restoration of episcopacy in Scotland. It was a considerable achievement, but the king had no intention of resting there.¹² James's visit to his native kingdom in the summer of 1617 gave indications that the newly-empowered episcopate was not an end in itself, but the means to implement a more ambitious programme of reform. Having created a church polity in Scotland that was more harmoniously in line with England's, the king now sought to do the same for worship. While the jurisdictional independence of the two churches was probably not seriously under threat during James's reign, had the king got his way entirely in 1617, some of the fundamental things that made the Scottish church different from her neighbour would have been eradicated. The authority of the general assembly had steadily been eroded since the 1590s, while the powers of the bishops had been enhanced at the expense of presbyteries and synods.¹³ A Scottish church shorn of its distinctive polity, that worshipped with a Prayer Book and knelt at communion, would have been barely distinguishable from the Anglican one.

In 1616, prominent Scottish clergymen were nominated by the general assembly to compose a liturgy for use in the Scottish church.¹⁴ It does not seem to have generated any controversy until James unveiled a further set of reforms, known as the Five Articles of Perth. They were initially rejected by a hostile general assembly in the

¹² During the apparent lull between 1612–17, it has been suggested, the government was busy preparing the ground for further reforms, Goodare, 'Scottish Politics', in Goodare and Lynch (eds), *James VI*, 48.

¹³ MacDonald, *Jacobean Kirk*, 118, 128–38, 149.

¹⁴ *BUK*, iii, 1127–28.

autumn of 1617, in a manner that incurred James's 'highest displeasure'. Senior politicians rightly feared that they, and not just truculent ministers, would 'draw the anger of a King upon them' if the Articles were rejected again; the government made sure that the Perth general assembly of August 1618 accepted the Articles in their entirety.¹⁵ It proved to be the last general assembly before 1638. Given the controversy generated by that assembly and, as we shall see, the subsequent attempts to enforce conformity, the last thing either James or his servants wanted was further discussion of the Articles. By 1621, however, James was embroiled in the conflict sparked when Bohemia rejected the Habsburg Ferdinand II as its ruler and offered the crown to James's son-in-law, Frederick, Elector Palatine, instead. Frederick, against James's advice, accepted the crown of Bohemia and thereby antagonised one of the most powerful men in Europe. Having been reluctantly dragged into what would become the Thirty Years' War, James was now badly in need of money.¹⁶

Having found all other cash-raising possibilities ruled out by the Scottish political community,¹⁷ James had no choice but to call a parliament. Ruthless government management by Thomas Hamilton, Lord Binning and earl of Melrose, and his relative, the marquis of Hamilton, ensured that the 'tumultuous crew' did not prevail over the 'well affected', and the vote was won by a respectable twenty-seven votes.¹⁸ Significantly, it was alleged that Edinburgh town council had contemplated a supplication against the ratification of the Articles, but it was ultimately 'riven in peeces'. No doubt councillors thought they 'could not afford to displease the government'; conformists were duly selected to represent the burgh, which not only voted for the legislation but proved itself highly accommodating in the business of the tax.¹⁹

James was elated. Making telling use of the word 'puritan' to describe the opposition—a term which James had used in *Basilicon*

¹⁵ *OLEAS*, i, 519–20, 523, 524.

¹⁶ MacDonald, *Jacobean Kirk*, 165. *APS*, iv, 589–90.

¹⁷ Goodare, 'Parliament of 1621', 30–2.

¹⁸ Goodare, 'Parliament of 1621', 30–1. *OLEAS*, ii, 656–57.

¹⁹ P.H.R. Mackay, 'The Reception Given to the Five Articles of Perth', *RSCHS*, xix (1975–77), 198–99. Goodare, 'Parliament of 1621', 38, 41. Alexander Clerk and George Foulis were originally selected. The latter was replaced by Andrew Scott, surgeon, after Foulis fell off his horse. Calderwood, *History*, vii, 460, 488, 490.

Doron but was not often heard in Scotland²⁰—the king claimed that the parliament had ‘cutte shorte’ any legal objections to the Articles, so that now ‘that rebellious and disobedient crew must eyther obey or resist’. He went on to express surprise that at the ‘verie instant’ when ‘so great and honourable a victorie’ had been won against ‘the enemies of all religion and good government’, his Scottish servants should be ‘fraughted with nothing but grones and expressions of affliction’.²¹ Melrose, whose blundering efforts at the 1617 general assembly had got him into enough trouble, was understandably less sanguine. In July 1621, as the agenda for the parliament was being drawn up, Melrose sent a grovelling apology to his king for ‘errours’ in a draft proclamation. Meanwhile, the customary meetings held by the ‘noblemen and barons’ to discuss likely business were broken up by Hamilton because some had ‘dealt so passionatelie aganis the confirmation of the church articles’. These tactics prevailed on the day and Melrose kept his job, but he at least knew that the opposition had been formidable.²² Even if a hundred parliaments were held, the Articles would never be considered lawful by those who believed that they fundamentally transgressed God’s Word.

At least three, even four, of the Articles were not actually that contentious in mainstream religious practice. Private baptism and private communion were upsetting to rigorous Calvinists who thought this was popish practice, but in fact they served a basic human need for comfort when a loved one, particularly a newly-born child, was sick or dying. Episcopal confirmation of children added to an existing programme to ensure that the young were educated in the basics as early as was feasibly possible, but it does not seem to have been widely employed. The remaining two articles were much more problematic because they had a direct bearing on the most important event in the Scottish church calendar, the communion. Observance of holy days, particularly Yule and Easter, was avoided by some ministers who thought that they were not warranted in Scripture as well as being uncomfortably like saints’ days. Nonetheless, a single

²⁰ MacDonald, *Jacobean Kirk*, 174. *Basilicon Doron*, i, 79.

²¹ *OLEAS*, ii, 662–64.

²² Melrose had convened trusted nobles and privy councillors in July. Reference to the ‘combination’ is described as being an error ‘almost popular’. *State Papers and Miscellaneous Correspondence of Thomas, Earl of Melrose* (2 vols, Abbotsford Club, 1837), i, 411–16, 423–24. *OLEAS*, ii, 656–57, 661–62.

spring communion, on or around Easter, probably remained the norm for congregations dispersed across large rural parishes.²³ After 1617, however, holy days certainly became more controversial because of their association with the first Article: Contrary to the customary way of taking the elements while seated, communicants in Scotland should now receive the sacrament 'Meiklie and reverendlie upone thair knees'.²⁴

It was a gift to the presbyterian propagandists because next to images, it was the most obvious, visible difference between catholic and protestant practice. The communicant did not need a sophisticated grasp of theology to understand that kneeling was idolatrous, nor did the minister himself have to work that hard to explain to his congregation why this was so. In post-reformation Scotland, the external forms adopted for taking communion had been heavily influenced by a desire to avoid the impiety of the mass. By subscribing to Jean Calvin's warnings against 'carnal adoration' and his assertion that the apostles 'sat down, took and ate', the Scottish church came to regard kneeling as an act of adoration that led the communicant into the error of transubstantiation (belief in the real presence).²⁵ For biblical literalists, the clear description of the Last Supper provided by Luke's gospel negated any argument that sacramental forms could legitimately be called adiaphoristic and therefore within the king's remit.²⁶ An appeal to the purity of the apostolic tradition was also used to refute claims that kneeling was not explicitly barred by scripture and could be safely regarded by protestants as a reverential practice with an ancient pedigree. As far as strict Calvinists were concerned, this argument simply showed up the corrupt state of those churches, including the Anglican one, that continued to use such forms. The more complex doctrinal arguments surrounding the Perth Articles controversy probably went over the heads of most Scottish church-goers, but the straight-forward association between kneeling and idolatry was deeply ingrained in Scottish

²³ Todd, *Culture of Protestantism*, 87–9, 122, 200.

²⁴ *APS*, iv, 396–97. Foster, *Church before the Covenants*, 57.

²⁵ J. Calvin, *Institutes of the Christian Religion*, trans. H. Beveridge (2 vols, Edinburgh, 1863), IV: xiv: 14; xvii: 35 [quotations], 36, 43. Kneeling was not explicitly mentioned in *The First Book of Discipline*, but it did state that communion should be taken in precisely the same way as the apostles, *First Book*, 90.

²⁶ Luke, 22:14.

religious culture. It was this argument that proved to be the most powerful weapon in the anti-Articles armoury.²⁷

The act of kneeling was important not just in the negative sense of association with Catholicism. It also had a crucial impact on the symbolism of one of the church's two sacraments. A vivid conversion narrative by an Edinburgh resident known only as 'Mistress Rutherford', shows clearly the significance of the communion to a body of literate, theologically aware members of the Scottish church.²⁸ Even before the event itself, individuals were examined by their ministers or kirk sessions for their suitability to take the sacrament, then encouraged to prepare themselves through reading and prayer. At the communion, tables were set out in the church. Everyone, including the minister, sat together and the bread was shared out amongst the recipients—it was expressly *not* given directly by a clergyman. Prayers, psalms and a concluding exhortation were intrinsic components of the sacrament, which could not be considered rightly administered, according to Calvin, without the Word. Communion was an expression of fellowship and unity in the presence of Christ, which also reinforced 'the awesome power of the eucharist'.²⁹ Lacking the ceremony and pageantry of catholic rites, the Scottish church focused instead on the sacrament of the Lord's Supper.

For the godly, communion offered the possibility of 'remarkable spiritual experiences' along with an 'unprecedented degree of inner authority'. Those who entered into this deeply emotional, personal relationship with God became part of a close-knit community, which did not require a formal church structure to support it and had little relation to the norms of the accepted social hierarchy.³⁰ Kneeling at communion rudely intruded into this process, by removing the

²⁷ NLS, Wod.Qu.XX, f.305v. For discussion of Scottish writings on the Five Articles, see Stewart, "'Brothers in Treuth'", in Houlbrooke (ed.), *James VI and I*.

²⁸ I am grateful to Louise Yeoman for mentioning this narrative and to David Mullan for giving permission to view it before publication. D.G. Mullan, 'Mistress Rutherford: A Seventeenth Century Conversion Narrative', *Bunyan Studies*, vii (1997).

²⁹ The Scottish form of taking communion follows Calvin closely. Although he stated that breaking the bread amongst the communicants could be decided by the church, this was the form recommended by Luke's gospel and used in the ancient church, Calvin, *Institutes*, IV: xvii, 38–9, 43. L.E. Schmidt, *Holy Fairs: Scottish Communion and American Revivals in the Early Modern Period* (Princeton, 1989), 15. Mullan, 'Conversion Narrative'. See also Calderwood, *History*, vii.

³⁰ L.A. Yeoman, 'Heartwork: Emotion, Empowerment and Authority in Covenanting Times' (PhD thesis, St Andrews, 1991), ch. 2. Schmidt, *Holy Fairs*, 18.

communal aspect which was so intrinsic to the entire meaning of the ritual. Gathering round a table with fellow-parishioners not only reinforced the godly society, but also reconnected that society with the kingdom of heaven. Even for those who did not share the fragile mental condition of people such as Mistress Rutherford or Archibald Johnstone (who may have known one another through Johnstone's grandmother, Rachel Arnot),³¹ the Scottish way of taking the sacrament was still seen as the purest, most efficacious means of representing 'the great freindschip and familiaritie that is betuix him and christian soullis'. A pamphlet of the period, probably penned by David Calderwood, goes on to explain the significance of the tables:

I am callit by the example of Chryst and his apostles in the primitive ministration of that blessit supper, by the example of the kirk for mony years beeing nearest to those dayis, as ane gesture fittest to resembl o[u]r freindschip and familiaritie with chryst, as ane gestur fittest to resembl o[u]r perpetuall rest with chryst in heaven.³²

Was this the marginal view of extremists who are assumed to be the mainstream because it is their version that has been left to posterity? If so, it was an opinion that even John Spottiswoode, archbishop of St Andrews, could not ignore. Having turned away from Calderwood's brand of radicalism in the 1590s, Spottiswoode's career was marked by shrewd political judgements and, in his early days, an ability to get things done. In a bout of startling honesty regarding the Articles, he confessed that:

the conveniencie of them for our church is doubted, but not without cause. They are new and uncouth; such things as we have not been accustomed with . . . Had it beene in our power to have dissuaded or declined them, mostly certainly wee would; and if any of you thinke otherwise, yee are greatly mistaken.³³

The exponents of the Perth Articles could, and did, argue that the king was able to decide matters of ceremony, that they were not

³¹ Mullan, 'Conversion Narrative'.

³² NLS, Wod.Qu.LXXXIV, ff.34, 360–1. Calderwood's arguments are assessed in a digestible form in J.D. Ford, 'Conformity in Conscience: The Structure of the Perth Articles Debate in Scotland, 1618–38', *Journal of Ecclesiastial History*, xlv (1995), 262–66.

³³ Foster, *Church before the Covenants*, 64, quoting from *Spottiswoode Miscellany*, ed. J. Maidment (Spottiswoode Society, 1844), 65–6. Samuel Rutherford believed that the Articles had been brought in because it suited the king. Ford, 'Conformity in Conscience', 275.

actually barred by scripture and that if they were used in other Reformed churches there was patently nothing wrong with them.³⁴ This latter argument was especially relevant because of the common usage of Edward VI of England's Second Prayer Book in Scotland, even after reformation. It included an insertion widely attributed to John Knox called the 'Black Rubric', which denied that kneeling at communion was an act of adoration.³⁵ It seems likely that amongst Edinburgh's church-goers, particularly those lower down the social scale, these arguments were not as effective as the far simpler idea that kneeling was the position papists preferred. The thunderous invective of an opposition in its biblical element consequently seemed to fit with what most Edinburgh people had heard in church all their lives, and appeared to be more satisfactory than the more complicated and less compelling arguments put forward by the conformists.

The Ministers of Edinburgh and the Perth Articles

The Perth Articles set off a furious debate within the Scottish church that at the most fundamental level ended up as a competition between King James and King Jesus. That debate was nowhere more furiously argued than in the symbolic seat of royal authority, the capital. In general terms, clergy and laity alike were hostile to the Articles and, left to their own devices, few self-respecting Edinburgh inhabitants would have entertained them. Problems arose because a London-based monarch was quite capable of making life very difficult for clergymen and leading Edinburgh politicians who refused to do what he wanted. In this scenario, such individuals were forced to choose between alienating kin, friends and parishioners who were urging them to resist the Articles and the practical consequences of disobeying the king.

³⁴ A considerable body of literature was generated in defence of the Articles, but the arguments were highly contentious. For a discussion of Calvin, indifferent ceremonies, and the argument that the king's laws took primacy over conscience in matters indifferent, see Ford, 'Conformity in Conscience', 257–62, 269–70. MacDonald, *Jacobean Kirk*, 164–65, 169–70.

³⁵ Many English puritans were unhappy with this Prayer Book. It was eventually superseded by a Genevan version, although Edward VI's Book continued to be used. G. Donaldson, *The Making of the Scottish Prayer Book of 1637* (Edinburgh, 1954), 1–4, 13, 19.

It is significant that right from the outset, Edinburgh's ministers were at the forefront of opposition to James's religious reforms. In the summer of 1617, during James's only visit to Scotland after 1603, dark rumours had begun to circulate in the capital that the king intended to get rid of the general assembly by creating a version of the English Convocation. This would have allowed the king to determine 'the external government of the Church' with the advice of 'a competent number of the ministry'. Meetings were held in the capital by dissident ministers 'diverse times', apparently with Archbishop Spottiswoode's consent, and a protestation was drawn up by Peter Hewat, a minister at the High Kirk who had been favoured by the king. It was signed by fifty-five ministers, mostly from the Lothian area, including all of Edinburgh's clergymen.³⁶ A subsequent 'mutinous meeting' in Edinburgh's music school came to James's ears. This event precipitated the deprivation of a number of ministers, including David Calderwood and Peter Hewat, although the rest of Edinburgh's clergy, apparently fearing their king more than their God, duly recanted.³⁷ The fracas over the Protestation had given strong indicators as to where opposition to the Articles would subsequently be concentrated—the central belt, with Edinburgh giving organisational focus.

Edinburgh's ministers were not rebels or malcontents, although their careers were by no means devoid of controversy. Patrick Galloway was almost old enough to remember the Reformation. Although he had got himself into trouble by supporting the staunch protestant faction around William Ruthven, 1st earl of Gowrie, during the early 1580s, he subsequently became royal chaplain and attended the Hampton Court conference in 1604.³⁸ He was one of the ministers nominated by the general assembly of 1616 to draw up a new 'uniforme ordour of Liturgie' to be used 'in all tyme of commoun prayers', along with none other than Peter Hewat.³⁹ So it is all the more striking that when James specifically wrote to Galloway asking his

³⁶ Hewat had also been granted the abbacy of Crossraguel, which entitled him to a seat in parliament. Spottiswoode, *History*, iii, 241 (quotation), 244. Calderwood, *History*, vii, 246–56. Mullan, *Scottish Puritanism*, 118. Appendix, Table 2.

³⁷ Calderwood, *History*, vii, 271. How the Five Articles came into being is in *RPCS*, 1st ser., xi, pp. xlviii–lvii and assessed in Mullan, *Episcopacy*, 152–54, MacDonald, *Jacobean Kirk*, 158–64 and in Mackay, 'Five Articles of Perth', chs. 3 and 4.

³⁸ *Fasti*, i, 53–4.

³⁹ *BUK*, iii, 1127–28.

opinion on the Articles, he should have responded with such blunt frankness:

Of receaving the Lordis Supper kneeling: Trewlie, Ser, I wolde faine be informed of your Majestie, how I might doe it myself? How I might informe otheris to doe so? And how, be reasone, I might meete and mend otheris who ar of contrary mynd? And as for my awin opinione herein, I think as yit that the best forme of taking it is, as we do, sitting; becaus . . . our Lord did so . . .⁴⁰

Like Galloway, John Hall's career was also a chequered one. He had refused to accept James's version of a mysterious event in 1600, again involving the Ruthven family, known as the Gowrie incident, but, unlike another Edinburgh incumbent, Robert Bruce, Hall subsequently behaved himself and returned to favour. Alongside Patrick Galloway, Hall sat on the court of high commission, a body of bishops and carefully selected ministers set up in 1610 that quickly drew the opprobrium of many presbyterians.⁴¹ Both men were asked to work on a new catechism at the 1616 general assembly, while another colleague, William Struthers, was given the task of producing a new set of canons with Archbishop Law of Glasgow.⁴² Andrew Ramsay had also been a member of the high commission. Having taught in Saumur for a number of years, Ramsay had somehow been tempted back to a parish in rural Fife before removing to the more intellectually stimulating environment of the capital. Along with a later Edinburgh incumbent, Henry Rollock, he seems to have been regarded as a religious conservative by presbyterians.⁴³ Thomas Sydserf, the youngest of the clerics, had graduated from Edinburgh's college in 1602, before departing for that bastion of Calvinist orthodoxy, Heidelberg. He took up a charge in the town in 1611.⁴⁴ These were talented, learned and ambitious men who, in some cases, had experienced first-hand what it was to draw the anger of their king upon

⁴⁰ *OLEAS*, i, 513. Mullan, *Episcopacy*, 152.

⁴¹ There were originally two courts under the jurisdiction of St Andrews and Glasgow, but they were combined in 1615. Lay members of the privy council also attended, particularly Thomas Hamilton, earl of Melrose. G.I.R. McMahon, 'The Scottish Courts of High Commission, 1610–38' in *RSCHS*, xv (1965), 193–97, 198–99.

⁴² *BUK*, iii, 1127, 1128. The canons and liturgy were not mentioned at subsequent assemblies.

⁴³ *Fasti*, i, 70. Mullan, *Scottish Puritanism*, 82–3.

⁴⁴ *Fasti*, i, 54. Mullan, *Episcopacy*, 169.

them. They were pragmatic enough to value their jobs—clerical training did not tend to emphasise transferable skills—but they also believed that they had a vocation, which might necessitate re-educating the monarch should he stray from the path of Scottish Calvinist righteousness.

After the passing of the Perth Articles in the highly-charged general assembly of August 1618, it became increasingly difficult for Edinburgh's ministers to avoid giving communion in the new form. Six months after the assembly, these men, like the rest of the members of the influential Edinburgh presbytery, had not given the sacrament on the appointed days and were resisting the article on kneeling. Under pressure from the bishops, Galloway, Struthers, Sydserf and Ramsay conformed. John Hall refused to do so and demitted his charge on the grounds of his alleged infirmity, to the disgust of parishioners who thought he had selfishly left the field in the midst of battle. Within a matter of months, Hall was reprimanded for agitating against the Articles in Edinburgh, which must have been a considerable nuisance to his former colleagues who were trying to convince their congregations to conform.⁴⁵ The vitriolic way in which these men were subsequently written about by Calderwood hints at a sense of betrayal, not only of those who continued to stand against the Articles, but of Edinburgh itself. By putting ambition before conscience, as the opposition propaganda made out, Edinburgh's ministers were destroying 'the peace of Jerusalem'⁴⁶ and disrupting that fellowship which was embodied by the sacrament itself.

Opposition to the Articles

The attitude of the wider community is essential to understanding why the Perth Articles were so much more explosive than the debate over episcopacy. While the restoration of bishops clearly offended the doctrine according to David Calderwood, its nuances were largely the preserve of well-educated clerics and did not impact significantly on the lives of that influential pressure group, the 'wyfes of Edinburgh'.⁴⁷

⁴⁵ Mullan, *Episcopacy*, 152. NLS, Journal, Wod.Qu.IX, ff.106r, 113v, 119v–120r. Calderwood, *History*, vii, 341, 357.

⁴⁶ NLS, Journal, Wod.Qu.IX, ff.103, 239.

⁴⁷ *OLEAS*, i, 527.

The Articles were different because they took the debate out of the college or the presbytery and into the merchants' booths and market-places.⁴⁸ It also changed the nature of resistance to royal religious policy. Those who did not like bishops were presbyterians, an easily-identifiable group of people who were accused, as English puritans were, of cloaking a political agenda in the mantle of conscience.⁴⁹ Those who did not like the Articles were nonconformists and, although the usual suspects could be found in their ranks, this issue had a much wider constituency. It transcended the accustomed realms of discourse which had largely occurred *within* the Scottish church, but James seems not to have been aware that this fundamental shift had occurred. His language⁵⁰ was still informed by the limits of the presbyterian argument and it was therefore extremely difficult for his Scottish servants to advise the king when his frames of reference were too narrow to appreciate the way in which the debate had moved on.

The people who were most single-mindedly opposed to the Articles belonged to a tight-knit community of lay men and women, focused on Edinburgh, but linked to like-minded souls in Lothian, Fife, Glasgow and the south-west. Resistance was particularly marked in Fife, where the synod found that many ministers had refused to give the sacrament kneeling because they 'saw the maist pairt of [their] people not disposed to receive it so'.⁵¹ Small Fife ports like Burntisland⁵² were not as carefully watched as Leith and provided bases from which anti-Articles propaganda coming into Scotland from Dutch presses could be disseminated. The burgh of Kinghorn seems to have been a particular hotspot; the privy council were forced to take action when the king found out about the election of magistrates known to be 'most opposite' to the Articles.⁵³ Such activity could normally

⁴⁸ MacDonald, *Jacobean Kirk*, 167.

⁴⁹ *OLEAS*, i, 700–3.

⁵⁰ Note, for example, James's references to 17 December 1596, implying that 1617 was more of the same debate. *OLEAS*, i, 499, 760–61. *RPCS*, 1st ser., xiii, 577.

⁵¹ Further north, there were apparently fewer problems. In 1619, Brechin, Arbroath, Dundee and Perth reported that the communion had been kept according to the Perth Articles. *Synod of Fife*, pp. 8, 89, 90, 92–3. Mackay, 'Five Articles of Perth', 86–7.

⁵² Calderwood, *History*, vii, 381.

⁵³ *RPCS*, 1st ser., xii, 594, 602–4. For further references to Kinghorn and its troublesome minister, John Scrimgeour, see Calderwood, *History*, vii, 412, 413, 414–24, 514, 562.

be covered up in remote areas, but it would be impossible to hide it in the capital.

Apart from the little town of Mauchline, deep in the south-west of Scotland,⁵⁴ Edinburgh was the only place where laity and not just clergymen were prosecuted by the privy council for their resistance to the Articles—although the absence of any high commission records means we cannot know if other laymen appeared before that body.⁵⁵ In the spring of 1620, and again, in the spring of 1624 (that is, just after the Easter communion), James was given the names of Edinburgh kirk session members. Their misdemeanours included refusal to assist at communions where their brethren were kneeling, verbal abuse of their ministers and contradicting official doctrine.⁵⁶ In both cases, it was James who had acquired the information through informal sources, and it was James who then pressed for prosecution. It was certainly not the privy council or the town council who instigated these investigations; for them, the less attention the king bestowed on his capital, the better.⁵⁷ As will become apparent, nonconformity presented a very serious political problem for the secular authorities in the capital, both at local and national level.

Who were the people who chose to resist the king's will in such a public manner? Calderwood names six men from the crisis of April 1620. Two were respected members of the skinnners' guild, Robert Meiklejohn and Thomas Inglis. Meiklejohn sat on a number of the town council's committees and on the town council, as deacon of the skinnners, in the early 1630s. Inglis was probably related to the prominent Edinburgh family of that name, who often had members on the council.⁵⁸ John Mein was a particularly troublesome individual,

⁵⁴ *RPCS*, 1st ser., xii, 728–29. There is no obvious link between Mauchline and Edinburgh, although the Mauchline area would become renowned for its radicalism in the later 1640s. The town was under the jurisdiction of John Campbell, 1st earl of Loudoun, Chancellor from 1641, whose son held the title of Lord Mauchline. Loudoun was closely associated with, although distantly related to, the marquis of Argyll. *RMS*, vi, no. 2120; vii, no. 967; ix, nos. 88, 1500. *Scots Peerage*, v, 506.

⁵⁵ For further discussion of enforcement, see L.A.M. Stewart, 'The Political Repercussions of the Perth Articles Debate in Scotland: A Reassessment', (forthcoming).

⁵⁶ Calderwood, *History*, vii, 433–34, 601–3, 611. *RPCS*, 1st ser., xii, 249–50. See also Stevenson, 'Conventicles in the Kirk', 101–5.

⁵⁷ Chapter Two discusses this aspect more fully.

⁵⁸ The Inglis family is difficult to disentangle, but there were several of that name on the council in this period. *Edin Recs 1604–26*, 45, 54, 66, 182, 197, 245, 280. *Edin Recs 1626–41*, 1.

who had the rare honour of being the only person the future bishop of Edinburgh reasonably thought he could pursue (albeit unsuccessfully) for disobedience. His wife, Barbara Hamilton, was as committed a nonconformist as her husband and may have been the chief inspiration for the legendary Edinburgh character, 'Jenny Geddes'.⁵⁹ If Mein ever sat on the council it was not until 1649, but he was certainly active on the kirk session.

James Cathkin and Richard Lawson, both involved in the book trade, are interesting figures. Cathkin, with his brother Edward, disturbed a sermon by the unpopular archbishop of St Andrews, Patrick Adamson, in the 1580s, then fled to England. They were also investigated after the 1596 riot. Lawson was Cathkin's creditor and their wives, Agnes and Janet Mayne respectively, were probably sisters. Cathkin and Lawson show that direct continuity existed between the presbyterian radicals of the 1590s and the nonconformists of the Perth Articles debate alluded to by Johnstone of Wariston.⁶⁰ William Rig was a merchant burghess, wealthier than the group he was included with, who may have been responsible for financing the subversive activities of Cathkin and Lawson.⁶¹ He was married to Catherine, daughter of the nonconforming minister of Carnock, John Row.⁶² In 1616 he made his debut on the town council, which made his activities all the more embarrassing for that body. Nonetheless, it was determined to show that religious affiliation had nothing to do with political influence. Rig's father had been a bailie, and Rig was raised to this honour in 1623, having probably escaped from the 1620 business unpunished.⁶³ It was not the end of the matter.

Rig and Mein were the only two of the six to appear again before the privy council in April 1624. Perhaps Cathkin and Lawson had

⁵⁹ L.A.M. Stewart, 'Jenny Geddes' in *Biographical Dictionary of Scottish Women*, ed. E. Ewan and R. Pipes (Edinburgh, 2006).

⁶⁰ *Wariston's Diary*, 265. Row, *Historie*, 390. Calderwood, *History*, iv, 79, 351; v, 511. R.B. McKerrow (ed.), *A Dictionary of Printers and Booksellers 1557–1640* (London, 1910), 63, 64, 190, 170. A. Mann, *The Scottish Book Trade, 1500–1720: Print, Commerce and Print Control in Early Modern Scotland* (East Linton, 2000), 26, 45, 59–60, 151, 171. See Appendix, Table 3 for more information on Cathkin's social networks.

⁶¹ Mann, *Scottish Book Trade*, 60, 87.

⁶² Row, *Historie*, 457.

⁶³ *Edin Recs 1604–26*, 7, 80, 132, 245. James had demanded banishments but Rig and Mein were still in Edinburgh, with the permission of the archbishop of St Andrews, in July 1620. Rig was making a nuisance of himself by October. Calderwood, *History*, vii, 434, 446, 448.

been neutralised, both by the threat of banishment (a very serious punishment as it essentially prevented someone from pursuing a living) and by their elimination from a kirk session leet in December 1621.⁶⁴ Another who was barred from this election and named by the privy council in April 1624 was John Hamilton, an apothecary who also appears to have been transporting Calderwood's works into Scotland. As well as being Samuel Rutherford's brother-in-law, it is possible that he was a relation of Barbara Hamilton.⁶⁵ They were accompanied by John Dickson, an unusually wealthy flesher (butcher) and a craft deacon who had sat on the council in the late 1610s and early 1620s. He was singled out as 'an ignorant' by his minister, William Forbes, but the evidence suggests the feeling was mutual.⁶⁶ William Simpson is an obscure figure on whom no information has been found.⁶⁷ Two others were fortunate. John Fleming, a sitting councillor, was probably advised to absent himself, while Joseph Millar, an advocate, was not cited to appear because the clerk of the privy council, James Primrose, who was himself married to the daughter of a known nonconformist,⁶⁸ claimed a legal technicality—Millar's name had been wrongly noted in the original indictment.⁶⁹

Rig, Mein and their ilk were certainly not representative of the religious mainstream. It was said by the minister John Livingstone, who knew Mein personally, that he rose every day at 3am to perform religious exercises until 6am, when he woke his family so they could join him.⁷⁰ In 1642, Mein's enthusiasm was utilised for organising the voluntary collections made to assist protestant refugees from the wars in Ireland.⁷¹ Rig was renowned even beyond Edinburgh as 'most zealous in the cause of God' and 'a terror to all evil-doers',

⁶⁴ Calderwood, *History*, vii, 518.

⁶⁵ *The Letters of Samuel Rutherford*, ed. A.A. Bonar (London and Edinburgh, 1891), 281. Mann, *Scottish Book Trade*, 81.

⁶⁶ Makey, *Church of the Covenant*, 158. Calderwood, *History*, vii, 599. John Dickson, flesher was a witness to Lawson's testament, *Bannatyne Miscellany I* (Edinburgh, 1827), iii, 203–4.

⁶⁷ He does not have a testament, nor is he mentioned as being married or as an apprentice. It may be that he was from outwith Edinburgh originally.

⁶⁸ He married Catherine, daughter of Richard Lawson, bookseller. *Scots Peerage*, vii, 216.

⁶⁹ Calderwood, *History*, vii, 603.

⁷⁰ J. Livingstone, 'Memorable Characteristics and Remarkable Passages of Divine Providence', in *Select Biographies*, ed. W.K. Tweedie (2 vols, Wodrow Society, 1845), i, 344–45.

⁷¹ *RPCS*, 2nd ser., vii, 189–90.

so much so, that he perhaps encountered a certain amount of resistance while in office.⁷² Although a six-month spell in Blackness Castle temporarily silenced Rig,⁷³ his 'prescisian' credentials would later be put to good use by the Covenanting regime, who sent him north to suppress the works of that nemesis of the nonconforming laity, William Forbes.⁷⁴ Livingstone's circle extended beyond the merchants of Edinburgh to lesser members of the landed gentry, and was linked to Samuel Rutherford not only through his own correspondence, but also through that of John Fleming, Rig, and John Mein's son.⁷⁵ These people were at the core of a 'radical party' that almost certainly organised the Prayer Book riots in 1638.⁷⁶

People like Rig and Mein, and especially their wives, were undoubtedly the mainstay of that shadowy 'privy kirk' which would recoil from the harsh light of assembly scrutiny in 1640.⁷⁷ It is impossible to know how many people attended bible-readings and prayer gatherings at the houses of people like Mein, or that most notorious hostess, Nicolas [*sic*] Balfour, daughter of a former High School master,⁷⁸ but their existence appears to have been common knowledge; it stretches the bounds of credulity (and it certainly stretched the king's) that news of this activity had reached London, but had failed to get as far as town and privy council meetings in the Edinburgh tolbooth.⁷⁹ Conventicles were particularly problematic for James's programme because they were impossible to police. When did a supper party with friends become a conventicle? And who was going to march into the houses of some of Edinburgh's leading inhabitants to find out? This problem was in Chancellor Hay's mind when, after the king had demanded their prohibition in 1624, conventicles were given

⁷² Livingstone, 'Memorable Characteristics', 542. ECA, SL154/3/1, Accounts 1623, 1624. *Edin Recs 1604-26*, 253.

⁷³ Livingstone, 'Memorable characteristics', 342. *RPCS*, 1st ser., xiii, 538, 693.

⁷⁴ Rig was described by James Gordon as 'a great precisian', one who was exacting in his religious observance. The term was used in a derogatory sense. Gordon, *Scots Affairs*, iii, 239-41. ECA, SL1/15, ff.81.

⁷⁵ *Rutherford*, 147, 169, 191, 230, 181-82.

⁷⁶ Stevenson, 'Conventicles in the Kirk', 99-114. Stevenson, *Scottish Revolution*, 56-62.

⁷⁷ Stevenson, *Scottish Revolution*, 198-205. Makey, *Church of the Covenant*, 165, 175.

⁷⁸ Calderwood, *History*, vii, 449. Livingstone, 'Memorable Characteristics', 346. Mr James Balfour was a master at the High School in 1597-8, and signed the 1617 protestation against the Perth Articles.

⁷⁹ Calderwood, *History*, vii, 596-7, 603-4. *RPCS*, 1st ser., xiii, 490-1, 519-21, 578. *OLEAS*, ii, 745-8, 832-3. Row, *History*, 328.

such a narrow definition that almost anyone could attest to knowing nothing about them.⁸⁰

Conventicles gave dissenters an alternative forum to their parish church, although even in 1640, when the sacrament had been returned to its pure form, such meetings continued to flourish. Interestingly, it was the ministers of Edinburgh, and David Calderwood, who opposed them, presumably because the issue of clerical authority was as pertinent in the 1640s as it had been to the beleaguered incumbents of the 1620s.⁸¹ As well as providing a spiritual sanctuary for like-minded individuals who could no longer find such solidarity within the church, conventicles also served a practical function. Deprived ministers had no income, but by providing leadership at conventicles, the likes of Robert Bruce and Robert Boyd could be sustained by the generosity of their lay brethren. Such men became something akin to local celebrities on the Edinburgh and Fife conventicle circuit, while the really talented ones, like David Dickson, went on to even greater fame through their participation in the field conventicles of the south-west. Instead of being ruined and forced to recant, therefore, troublesome ministers were being received amongst an adoring audience of the capital's leading nonconformists.⁸²

The names left to posterity may only scratch the surface of this community of godly souls.⁸³ One historian has claimed that dissenters represented the middleranks who had little opportunity of entering the oligarchy,⁸⁴ but this is at best a simplification. Even amongst the ones who were willing to be caught there were significant burgh inhabitants, such as Rig, Dickson and Meiklejohn. Other prominent individuals perhaps had more to lose, perhaps were more pragmatic, perhaps were more committed to the idea of unity within the church,

⁸⁰ *RPCS*, 1st ser., xiii, 520. Calderwood, *History*, vii, 620.

⁸¹ *Baillie*, i, 250. Stevenson, *Scottish Revolution*, 201–2, 232. Livingstone, 'Memorable Characteristics', 343.

⁸² Boyd was ordered to leave the burgh in 1622 but was accused of lending his services to conventicles in 1624, a charge which the privy council defended him against. Makey, *Church of the Covenant*, 175. NLS, Adv.Ms.33.1.1, xi, no. 24. Other ministers who were not from the capital could also find support there. *OLEAS*, ii, 745–48. *Wariston's Diary and other Papers*, 7. Such activity was also going on in Fife, Mullan, *Scottish Puritanism*, 27, 37.

⁸³ Appendix, Table 3.

⁸⁴ Makey, *Church of the Covenant*, 158–59. Brian Manning also saw puritanism as a feature of middle-class consciousness, 'Religion and Politics: The Godly People' in B. Manning (ed.), *Politics, Religion and the English Civil War* (London, 1973), 82, 105, 109, 123.

however wrong kneeling might be. At Easter 1621, Calderwood noted that 'the bailies communicate not at all'; one of those men was William Dick, the future provost, who, far from 'becoming a rebel to stop a revolution' in 1638, had shown over a decade earlier where his loyalties lay.⁸⁵ William Nisbet, provost of Edinburgh three times after 1616, was favoured by King James, but Nisbet was linked by marriage to the circle around Rachel Arnot, Wariston's grandmother.⁸⁶ He ruined his political career through an outspoken disregard for the king's policies, but there was no public humiliation of a man who was much too prominent in Edinburgh society even for King James to bring down.⁸⁷

Even higher up the social scale were those members of the landed elite who were uncomfortable with the Articles but were not prepared to stake their political future on it. In March 1617, Calderwood noted that the 2nd marquis of Hamilton, James's childhood friend John Erskine, 2nd earl of Mar, and John Cunningham, 7th earl of Glencairn, had refused to communicate in 'the Englishe form'. Even the elderly bishop of Galloway, William Cowper, refused, although he rapidly changed his mind and was villified as a result.⁸⁸ Sir George Erskine, Lord Innerteil had been educated with James VI and in 1638 would refuse to take the Covenant, but along with some other unnamed advocates, he refused to kneel at a particularly stressful communion in March 1619.⁸⁹ Accompanying him was Sir James Skene of Curriehill who, unlike the future lord advocate, Sir Thomas Hope, failed to keep his religious persuasions ambiguous enough to avoid trouble. Only Skene appeared before the privy council, where he was admonished.⁹⁰ Skene had married one of Rachel Arnot's daughters, and it was said that Skene had acted under her influence. This did not prevent him becoming lord president in 1626.⁹¹

⁸⁵ *Edin Recs 1604–26*, 212. Makey, *Church of the Covenant*, 161.

⁸⁶ See Chapter Three. Calderwood, *History*, vii, 274, 359.

⁸⁷ In 1623 he was nominated as a justice of the peace for Edinburghshire, *RPCS*, 1st ser., xiii, 341.

⁸⁸ Calderwood, *History*, vii, 246. Mullan, *Episcopacy*, 116–20, 132–33, 153, 155, 163–65. See Appendix, Table 3.

⁸⁹ Brunton and Haig, *Senators of the College of Justice*, 259–60. Innerteil was Mar's cousin. *Scots Peerage*, v, 81–2, 615.

⁹⁰ Calderwood, *History*, vii, 359. *RPCS*, 1st ser., xi, 595.

⁹¹ Geddie, 'The Dean Group', pp. 85–106. Calderwood, *History*, vii, 359, 383. *Faculty of Advocates*, 193. ECA, Protocol Book of John Hay (card index), ii, 23 August 1615.

These people were politically and socially influential individuals, whose activities impacted on the wider community in two important ways. Through their friendships, business associations, political activities and through inter-marriage Edinburgh nonconformists compromised the ability of the authorities positively to endorse the Perth Articles. Some privy councillors, lords of session and town councillors openly avoided communion, which hardly set a good example for the rest of the population. Others might be prepared to kneel themselves, but there must have been immense pressure to turn a blind eye to the indiscretions of nonconformist friends or colleagues and their wives. Exasperated by the attitude of his secular colleagues, Spottiswoode informed a gentleman of James's bedchamber that as he had said long before, the poor example offered by the town's magistrates had a lot to do with the 'obstinate purpose and resolve in that people'.⁹² So contentious had the Perth Articles become at local level, that even those who had previously upheld royal authority did not want to be seen taking the sacrament on their knees. At Easter 1622, the dean of guild, John Byres and the provost, David Aikenhead, attended church but did not take communion.⁹³ Melrose confessed to James around the same time that it was the 'good sort' of Edinburgh's population who were either refusing to kneel if they did attend communion, or not attending at all.⁹⁴ The desperate fact of the matter was that Edinburgh's communicating population were flooding out of the burgh, towards St Cuthbert's, Canongate, Leith, Duddingston, and even as far as Dalkeith and Musselburgh, to take the sacraments from ministers who were still observing the old form.⁹⁵

⁹² Spottiswoode to John Murray, future earl of Annandale, 11 May 1623 in *OLEAS*, ii, 713–14.

⁹³ David Aikenhead's daughter was married to John Byres's son, while Byres's daughter Rachel married the minister, Thomas Sydserf. Calderwood, *History*, vii, 304, 361, 516, 546. Geddie, 'West-End and Dalry Groups', 134–7. This action may be linked to the possibility that Aikenhead had made himself unpopular by interfering in college elections in order to advance his son-in-law, Patrick Sands. T. Craufurd, *History of Edinburgh University* (Edinburgh, 1808), 90.

⁹⁴ *OLEAS*, ii, 711–12.

⁹⁵ Spottiswoode, *History*, iii, 257. Calderwood, *History*, vii, 352, 359–60, 364, 380, 458, 546–57. St Cuthbert's, Duddingston and the churches of North and South Leith were within the presbytery of Edinburgh. Edinburgh's conforming ministers were consequently sitting amongst their nonconforming brethren at these meetings. How unfortunate that the presbytery records have disappeared. BL, Scotland's Rents and Tenths 1639, Add.Ms. 33, 262.

Initially, Melrose had optimistically told the king that although 'many of the citizens of the Towne, speciallie of the women, wer absent at other churches', a 'good and peaceable beginning' had been made in Edinburgh.⁹⁶ This letter was written the day after what Calderwood would later call a 'cold and graceless' communion. The provost, along with hundreds or possibly thousands of other Edinburgh inhabitants, was absent, and others walked out as soon as the sacrament was administered. A year later, at Easter 1620, Thomas Sydserf conceded that the king's policy had more or less fallen apart, by offering the communion 'Efter what maner ye please to receive it; sitting, standing, or kneeling'.⁹⁷ This compromise infuriated William Scot, who noted with dissatisfaction that the number of people attending communion in the capital did rise, but it also signified the strength of public opinion in the capital.⁹⁸ It is likely that from this time, kneeling was acknowledged only in the most haphazard fashion in Edinburgh, as systematic attempts to enforce total conformity were all but abandoned.

For nonconformists, and indeed anyone who was committed to the harmonious fellowship of the communion service, this was confusion. The failure of the Perth Articles was nowhere more obvious, or less recoverable, than in these mass demonstrations of public non-compliance. Conventicles could be outlawed, ministers could be deprived, but how could the government force a communicating population of about 12,000 people into church?⁹⁹ Differences about how to proceed began to appear amongst councillors. Spottiswoode believed that threatening the full rigour of the law and then showing clemency for those who asked forgiveness would eventually root out those weeds who were poisoning the healthy plants around them. Melrose was not so sure about this, and expressed concern that 'the

⁹⁶ *OLEAS*, i, 598–600.

⁹⁷ Calderwood, *History*, vii, 359, 436. Row, *History*, 320–21.

⁹⁸ W. Scot, *An Apologetical Narration of the State and Government of the Kirk of Scotland since the Reformation . . .*, ed. D. Laing (Wodrow Society, 1846), 268, 291.

⁹⁹ A 1592 census counted 8,003 'persones of discretion' for a collection. This figure has problems, but one would still expect this figure to have risen in line with population increase over the next quarter-century. A population of 20,000 should mean there were about 12,000 adult communicants. Lynch, *Edinburgh*, 10–11. There are records for the purchase of communion tickets, but the figures fluctuate dramatically year to year and are difficult to interpret. See Stewart, 'Politics and Religion', Appendix, Table 6.

scandall and difficultie of the remede' could end up being 'more hurtfull' than simply tolerating dissent for 'a short space'.¹⁰⁰

Some may have begun to hope that 'a short space' described the remainder of James's lifespan. Could it be possible that it was not the intransigent nonconformists who were the problem, but the king himself? It has become an historical shibboleth that James, Solomon to the end, realised what a terrible mistake he had made and 'had the sense to turn back when he saw the strength of the forces he was arousing against himself'.¹⁰¹ There is reason for perhaps thinking this. It is true that the Scottish administration, whatever Calderwood might have thought, took a very soft line on persecution—between 1610 and 1625, forty-eight ministers appeared before the court of high commission. Twenty-seven of them were chastised and released back to their congregations, while only seven men were permanently deprived.¹⁰² Spottiswoode was keen not to make martyrs of these men, and the surviving examinations of dissenting ministers show the huge efforts made to bring them back into the fold.¹⁰³ The work of the high commission does not, however, reflect James's intentions, but Spottiswoode's genuine fear of 'the danger of schism'¹⁰⁴ if the nonconformists were forced out of mainstream religious practice.

Does James's decision of December 1624 to ease strict observation of the Articles in Edinburgh suggest that the king was relaxing enforcement?¹⁰⁵ Not if the context is taken into consideration. This moratorium for the people of Edinburgh was intended to be for a

¹⁰⁰ *OLEAS*, ii, 711–2, 756–58.

¹⁰¹ Stevenson, *Scottish Revolution*, 24. This assumption has, unfortunately, been adopted by many historians. A convincing alternative is in MacDonald, *Jacobean Kirk*, 169–70. See also Goodare, 'Scottish Politics', 52.

¹⁰² William Arthur and Richard Dickson of St Cuthbert's (both continued), Peter Hewat of Edinburgh (warded until 1638) Henry Blyth of Canongate (restored) and David Forrester of Leith (restored) came from the Edinburgh area. See McMahon, 'Scottish Courts', 200–01. Although the commission's records are lost, it seems unlikely that many other suspensions and deprivations would have escaped the attentions of Calderwood, Row or Scot.

¹⁰³ See, for example, the proceedings against Mr John Scrimgeour, where a lengthy debate was conducted which resulted in Scrimgeour being confined in a place of his choosing—hardly a harsh punishment. Spottiswoode also made himself and other ministers available to address William Rig's 'doubtis and scruples' in 1624. Calderwood, *History*, vii, 414–24. *RPCS*, 1st ser., xiii, 694.

¹⁰⁴ P.H.R. Mackay, 'The Five Articles of Perth' (PhD thesis, Edinburgh, 1975), 78–9. Lee, *Government by Pen*, 188.

¹⁰⁵ *Edin Recs 1604–26*, 259. *RPCS*, 1st ser., xiii, 660–1. ECA, Moses Bundle 195, no. 7035.

limited period only, with the express condition that town and privy council 'deale effectuallie in this business and mak thame see thair owne goode and benefite thairin'.¹⁰⁶ That very summer, James had also demanded the deprivation and imprisonment of dissenters, criticised 'the turbulent persuasionis of restles ministers', banned 'discourse or disputation' on the issue, pressed town and privy council into public conformity, threatened to remove the court of session and college of justice (an act reminiscent of December 1596) and requested a list of 'disconforme persones'. In the autumn, the privy council suggested to the burgh that in their new council, it would be prudent to select 'suche of whose conformitie and obedience to the orders of the Kirk ther was goode assurance'.¹⁰⁷ These were hardly the actions of a monarch 'not insisting on absolute obedience to the Five Articles of Perth'.¹⁰⁸

A distinction must be made between James's intentions regarding the Articles and the actions of his servants in Scotland. Lee correctly notes that 'enforcement was ineffective' in Edinburgh, but this was not because James wisely decided to leave well alone. It was because 'officialdom, both secular and clerical' was reluctant to pursue protestants whose objections to kneeling were well-founded enough for Spottiswoode to acknowledge them in his speech to the Perth Assembly. When Lee asserts that James's anger was 'spasmodically aroused' by noisy nonconformists who 'temporarily revived' his interest in the Articles, he misses the sustained seriousness of the crisis in the capital during the last years of the king's life.¹⁰⁹ While the Scottish privy council was clearly concealing the true extent of nonconformity, this is hardly surprising. James was not going to drop the Articles because he found out there were even more of William Rig's friends imperitantly resisting the royal will. The only outcome would be some luckless councillor being made scapegoat.

For James the issue was, as ever, the royal prerogative. It was the king's belief in his God-given right to decide on an appropriate manner of taking the sacrament which propelled him into sending edicts on the matter to Edinburgh every year from 1618 until his death.¹¹⁰

¹⁰⁶ *RPCS*, 1st ser., xiii, 661.

¹⁰⁷ *RPCS*, 1st ser., xiii, 519–24, 577–78, 599, 611.

¹⁰⁸ Stevenson, *Scottish Revolution*, 42.

¹⁰⁹ Lee, *Government by Pen*, 178–85.

¹¹⁰ James was involved in the issue every year from 1617–25, *OLEAS*, ii.

He personally interviewed a London-bound nonconformist, James Cathkin, in June 1619 and interfered directly in council elections in 1624.¹¹¹ Far from successfully managing to 'eliminate the extreme Presbyterians' in 1621,¹¹² James's vigorous campaign to have the Articles enforced served only to further entrench the opposition. By the summer of 1624, it is apparent by the flurry of activity on this issue that James had embarked on a new campaign, against the wishes of his Scottish servants,¹¹³ which was stalled only by the king's timely demise. All the evidence shows that James, despite early advice to the contrary,¹¹⁴ was absolutely determined Edinburgh's inhabitants would observe the Perth Articles and consistently pursued that objective.

It is important to stress that Edinburgh was not like the rest of Scotland. As the capital, it was inevitable that the Crown would focus its attention there, for if the monarch could not get Edinburgh to obey, then his pen was hardly likely to prove invincible anywhere else. All over Lowland Scotland, clergymen were failing to insist on kneeling and absenting themselves from uncomfortably inquisitive presbytery meetings. While the rest of the country did not slavishly follow Edinburgh's example, it was probably felt that without Edinburgh, there was little chance of effecting change in much of the Lowlands. For propaganda purposes south of the border, too, it was irrelevant that unheard-of Morayshire was on its knees at communion if the capital's churches were empty. While the intensity of royal scrutiny undoubtedly polarised opinion, James was also up against some formidable opponents whose stance was supported by the burgh community at large. When Thomas Sydserf had offered his compromise on kneeling, Mein and his circle rejected outright anything short of a total abandonment of kneeling.¹¹⁵ A contrast could be made with Perth, where ambiguous practice became commonplace after a brief attempt at enforcement. The presbytery there

¹¹¹ 'A Relation of James Cathkin His Imprisonment and Examination about Printing the Nullity of Perth Assemblie' in *Bannatyne Miscellany I* (Bannatyne Club, 1827), 197–215. *RPCS*, 1st ser., xiii, 611.

¹¹² J. Wormald, *Court, Kirk and Community: Scotland, 1470–1625* (London, 1981), 129. Wormald also skirted the issue of enforcement in a later article; the church might have been 'quiescent' in England, but it was not so in Scotland, Wormald, 'James VI and I', 196, 204.

¹¹³ Goodare, 'Scottish Politics', 49.

¹¹⁴ From Patrick Galloway, which James requested, see above.

¹¹⁵ Calderwood, *History*, vii, 358–60.

openly asserted in 1633 that kneeling 'was not insisted upon at Perth, nor almost any other part of Scotland. The communicants were generally left at their liberty either to kneel or to sit still upon their seats when they received the elements'.¹¹⁶ In Aberdeen, the Articles were barely an issue at all, although its rural hinterland saw more resistance. Kneeling was not embraced almost anywhere in Lowland Scotland one could care to mention,¹¹⁷ but because there was limited pressure to conform in the localities, the Articles failed to exacerbate existing social or political tensions, as demonstrably occurred in the capital during the 1620s.

Lost Opportunities

James's attitude towards Edinburgh, his mounting frustration with the population's disobedience and his sense that both town and privy council were not making sufficient effort to correct it, provides a vital context to the policies pursued by Charles I. At his accession, Charles may have been regarded with suspicion in Scotland after his dalliance with the Spanish Infanta led some to a sinister interpretation of why the government was harassing ministers and laymen whose piety could not be faulted.¹¹⁸ Possibly to counteract this feeling, Charles decided to assure his Scottish subjects that no changes in religion were planned.¹¹⁹ Within weeks of James's death, non-conformists saw reason to be hopeful that the new king would move towards a more elastic interpretation of the Perth Articles. In February 1625, Spottiswoode had quietly given William Rig leave to reside at his Fife estate of Atherny. Having been informed of Rig's 'more dewtiefull maner' in June, Charles allowed him to go 'whither it shall best please him'.¹²⁰ The following month, a set of articles were sent to Patrick Lindsay, bishop of Ross, that confirmed the impression given by Rig's pardon. Charles stated that all ministers who were admitted before the passing of the Perth Articles would not be

¹¹⁶ Mackay, 'Five Articles of Perth', 108.

¹¹⁷ Mackay, 'Five Articles of Perth', 58. MacDonald, *Jacobean Kirk*, 167–68.

¹¹⁸ Even in government circles, the proposal was generating anxiety. A public thanksgiving was held when he returned unmarried. *OLEAS*, ii, 714, 728, 729–30. NLS, Wod.Qu.IX, ff.189, 192–93.

¹¹⁹ *RPCS*, 2nd ser., i, 132. NLS, Wod.Qu.IX, ff.218.

¹²⁰ *OLEAS*, i, pp. 778–80. *Stirling's Register*, ii, 52.

pursued if they 'mak scruple' of performing them, provided they preached 'no doctrine publicklie against our authoritie, the church govenament, nor the canons thair of'. As all four of Edinburgh's ministers fell into that category, this theoretically left them free to adopt whichever position they thought most appropriate. The July articles went on to stress that ministers were not to give communion to people from neighbouring congregations, a condition which was also included in the instructions for the reorganisation of Edinburgh's parishes that same month. They were also not to refuse the sacrament to those who requested it kneeling, or persuade them not to take it kneeling, or write invectives against the Articles. Those who had been banished would be allowed to return if they were willing to recognise these conditions, although this offer did not extend to that perennial troublemaker, David Calderwood.¹²¹

The policy, perhaps inspired by Spottiswoode, who had advised Charles in the William Rig case, was a highly intelligent one. Rig had, as Spottiswoode might have feared, become a martyr to the cause when he had been singled out for 'ane extra ordinair grite fyne'. The issue had created a political crisis; the town council and even the ministers whom Rig had offended campaigned alongside a resolute privy council to make James realise that his harsh treatment of the Edinburgh merchant was undermining royal authority. One of the last letters from the king to his Scottish servants makes it quite clear that the privy council were pursuing their own interpretation of Crown policy, while the town council had shown their opinion of the proceedings by electing Rig as a councillor in September 1624, regardless of the fact that he was under censure.¹²² By releasing him, Charles seemed to be indicating a willingness to trust the judgement of the privy council and a desire to pour balm on open wounds. His new articles opened up the possibility of positive, fruitful dialogue on the subject, while also reinforcing the fact that criticism of the government would not be tolerated. Since the imposition of the Perth Articles, a steady stream of clandestine propaganda against them had been circulating virtually unimpeded in the capital.

¹²¹ *Stirling's Register*, ii, 62–3, 375. Appendix, Table 2. *Edin Recs 1604–26*, 262. *RPCS*, 2nd ser., i, 105.

¹²² *OLEAS*, ii, 740–1, 752–54, 754–56, 768. There were rumours that Hamilton was to be fined, too. Calderwood, *History*, vii, 433–4, 617, 622. *Edin Recs 1604–26*, 245. *RPCS*, 1st ser., xiii, 664–5.

Although the main focus of much of the material was on the unlawfulness of kneeling,¹²³ some of the literature made direct attacks on the episcopate or on conformist ministers such as William Struthers.¹²⁴ Charles's articles made a clear distinction between those who, in their own conscience, could not accept the Articles and those who were actively agitating against the government. The new policy also reflected a fundamental change in the regime—it was abundantly clear in the articles that just as the old king had naturally been supplanted by a young, energetic monarch with new ideas, so the same would happen eventually amongst the clergy.

In the first few months of the reign, James's death had reputedly ended a 'fearfull storme of persecution' and generated hopes that 'the libertie of the kirk, fredome of religioun and justice suld be respectit'.¹²⁵ Emboldened by these developments, the ministry of Edinburgh petitioned the king in April 1628 to ask for total abandonment of kneeling at the sacrament. If the original petition did, as alleged, end up in the hands of William Alexander, earl of Stirling, without Spottiswoode's knowledge, the archbishop nonetheless took it upon himself to make excuses for the ministers. Charles's response was icy. He expressed surprise that the ministers 'durst presume to move us against that course which was soe warrantabillie done', and demanded that 'the authoris of that bussieness' be censured. This was specifically intended to terrify others 'from attempting the like'. Both the bishop of Ross and Spottiswoode had informed the king that the ministers were 'learned men and weeldisposed', but this was no defence in Charles's eyes. In future, they should 'goe one in the administratiōe of the communione, according to the ordour prescribed' and a note was to be taken of 'such persones of thare congregation whoe shall refuse the same'.¹²⁶

It must have been a shattering blow to everyone in Edinburgh, both conformists and nonconformists alike, to find that the king was not, after all, willing to endorse what was undoubtedly the best means of repairing the widening breach in the Scottish church. Later that year, there seems to have been such general dismay at these dashed

¹²³ Stewart, "Brothers in Treuth".

¹²⁴ See the fascinating fictional dialogue between Walter Balcanquhal, John Smith, James Melville and Archibald Johnstone. NLS, Wod.Qu.LXXXIV, ff.19–29. See also Wod.Qu.LXXXIV, ff.30–31, 172. Wod.Qu.XXV, f.38v.

¹²⁵ Row, *History*, 337. NLS, Wod.Qu.IX, f.216v.

¹²⁶ *Stirling's Register*, ii, 271–72, 296. Row, *History*, 346. NLS, Wod.Qu.IX, ff.250–51.

hopes that the ministers decided to defer the sacrament. The tone of Stirling's letter to the clergy of Edinburgh suggests that they had promised their congregations the old form of communion, and when they were forced to retract that promise, their parishioners had displayed a 'factious and turbulent dispositione' by refusing to appear at all. It is evident that the ministers had withdrawn the sacrament at least in 1628, but it is possible this was done, not to punish refractory members of their congregations, as Charles implied, but to make a protest. Stirling's letter states that the ministers were unhappy that so many people 'separat themselves from the comunione', and their decision to down tools may have been an attempt to show that Charles's narrow commitment to the letter of the law was actually impeding everyone's ultimate goal, the reunification of the church in an orderly form of worship. When the communion was performed in February 1629, it was done 'with such confusion as was pitifull to behold', with even the ministers themselves adopting different forms. By Christmas 1629, Charles's policies were pitting 'pulpit aganis pulpit', making a way out of the quandary seemingly impossible.¹²⁷

During the early 1630s, Edinburgh continued to be a hotbed of contentious debate, not only on the Perth Articles, but on the possibility that they were intended as a portal for imposing 'the haild ordor of the Inglish kirk' on Scotland. Although the appetite for pursuing lay nonconformists had waned, there was probably a contentious attempt to plant Edinburgh's college with conformist regents.¹²⁸ Communion was still in chaos,¹²⁹ while the king's tolerant dealings with that notorious catholic, George Gordon, 1st marquis of Huntly, raised suspicions about royal intentions just as they had done thirty years earlier, when the restoration to favour of that very same individual had been one of the precursors of the 1596 riot.¹³⁰ Edinburgh's

¹²⁷ *Stirling's Register*, iii, 324, 325. Another copy can be found in *Red Book of Menteith*, ii, 10. Row, *History*, 345. Ford stipulates that Charles initially 'did little to reanimate the debate' until the Canons appeared in 1636, but this date can be pushed back to 1628, at least in the capital, Ford, 'Conformity in conscience', 272.

¹²⁸ A. Bower, *The History of the University of Edinburgh*, (3 vols, Edinburgh, 1817), i, 171–73. It is not clear whether Charles was actively involved or whether the impetus was largely local, Mullan, *Scottish Puritanism*, 221–22.

¹²⁹ Row, *Historie*, 345, 348, 350, 390.

¹³⁰ In 1596, the banished Huntly had been allowed to return to Scotland, whereupon he was fully restored to his estates. Calderwood, *History*, v, 439–55. McMahon, 'Courts of High Commission', 202.

godly folk noted that, while there would be ‘sum hard urging to cum soun for keiping of the fyve articlis’, the spread of catholicism went unchecked.¹³¹

Against this background of rising tensions, a convention of estates was held in Edinburgh to raise another tax for the king, which enabled a number of the ‘best sort and weill effectid staitismen’ to present a set of grievances against the Crown’s religious policies. This time, it was not disgruntled ministers and their turbulent parishioners who were making a fuss, but a group of young noblemen whose names are now synonymous with the Covenanting regime. The government and its supporters secured the new tax without having to address the petition, but the frustration of this attempt to make their voices heard encouraged the disaffected to mount a more organised campaign when the king visited Scotland in the summer of 1633.¹³² It was in the wake of that public relations disaster, when king and subjects looked upon each other’s religious persuasions with genuine horror,¹³³ that Charles decided to make public his plans for a new bishopric of Edinburgh.

The Bishopric of Edinburgh

The idea of a bishopric for Edinburgh had practical justifications. Apart from the attractions of increasing episcopal oversight in the capital, it also made sense to reduce and rationalise the sprawling, disjointed territories pertaining to the see of St Andrews. A wider programme of tidying up the dioceses is hinted at by the rumour of a proposal to carve a new bishopric out of the southern part of the see of Glasgow.¹³⁴ Perhaps the aging Spottiswoode suggested it; he had more than enough responsibilities for one man to contend with and may have been only too happy to devolve his most trouble-

¹³¹ NLS, Wod.Qu.IX, ff.273–74, 348–49. Row, *History*, 352, 354–55.

¹³² The noblemen were the earl of Rothes and Lords Balmerino, Loudoun and Ross. NLS, Wod.Qu.IX, ff.279–81. For a full discussion of preparations for and proceedings in the 1633 parliament, see Young, ‘Charles I and the 1633 Parliament’, 101–137.

¹³³ NLS, Wod.Qu.IX, f.336v. Spalding, *Memorialls*, 36–7. Donald, *Uncounselled King*, 29–32. Macinnes, *Covenanting Movement*, 86–8.

¹³⁴ The commentator was probably a minister from the southwest, ‘Historie of Church and State, c.1646’, *Religious Controversy*, ed. Mullan, 13, 28.

some locality onto someone else. On 30 October 1633, shortly after his coronation visit, Charles sent a missive to Edinburgh instructing them to begin preparations for the creation of the bishopric, which would also involve the erection of St Giles' into a cathedral. Around the same time, the king sent an order 'For the Apperrell of Churchmen of Scotland', which included the hated 'whyttis' for the higher clergy and surplices for the 'inferiour clergy' during the administration of the sacrament. The black-garbed Scots looked upon this as unnecessary ostentation and their use had been greeted with general resentment at the king's coronation.¹³⁵ These developments were offensive enough, but Charles's decision to nominate 'our trustie and weil-beloved Dr W[illia]m Forbes' as the first bishop of Edinburgh did not go down well in that community.¹³⁶

The Aberdeen preacher had made himself highly unpopular in Edinburgh during the early 1620s,¹³⁷ and his three short years at the south-east parish had been marked by an intensification of the Perth Articles dispute. His return to the capital sparked a vigorous propaganda campaign, which rejected Forbes himself as much as the idea of the bishopric. As the nonconformists mobilised their propaganda machine,¹³⁸ the town council and the ministers kept a low profile. Still absorbed by the farce of John, Lord Balmerino's trial, the political community in Edinburgh were keen to keep out of the limelight,¹³⁹ but the uncompromising Forbes had other ideas.

One of the new bishop's first acts was to present the Edinburgh clergy with a document declaring their conformity to the Perth Articles. He then threatened to take the names of those who refused to give the sacraments from their own hands to kneeling supplicants, and use 'ecclesiasticall censures' against them.¹⁴⁰ Most of the Edinburgh clergy subscribed, to the dismay of the nonconformists. One pamphleteer, possibly a clergyman or a kirk session member, lamented that 'if ye subscriue ye quyt all these defences which ye micht use incais he wold proceid againes yow'. The writer ominously predicted

¹³⁵ *Stirling's Register*, iii, 689, 693. *Edin Recs 1626-41*, p. xiii. NLS, Wod.Qu.IX, ff.334-35.

¹³⁶ *Stirling's Register*, iii, 689.

¹³⁷ Chapter Two and NLS, Wod.Qu.IX, f.350r.

¹³⁸ NLS, To My Reverend Brether of the Ministerie of This New Doices [*sic*], NLS, Wod.Qu.LXXXIV; The Reconceiler, Wod.Qu.LXXXIV.

¹³⁹ See Chapter Three, p. xxx.

¹⁴⁰ *Stirling's Register*, ii, 372-4. Bower, *History of the University*, i, 183.

that 'god's providence' would not protect those who took this course, for their subscription was no less than to 'cover tyranny and hardin thame in the usurpation'. He asked his readers to remember 'how hynoues a sine it is to bring in that abomination [kneeling] in yor congregationes where the worship of god hathe bein prescribed in puritie ever since reformation'. As for Forbes himself, many of his adversaries thought it that he was plainly 'popische and under prentence of conformitie', which explained why he was so keen to urge changes in the sacrament.¹⁴¹

Other circumstantial evidence hints at unease with the new bishopric beyond the authors and readers of these pamphlets. During the mid-1630s, the town council began two separate subscription schemes to raise money for an extensive programme of civic improvement. In March 1632, the council discussed constructing a parliament and session house, to be erected on the south side of St Giles' on what had been its graveyard, and a tolbooth for the privy council and the exchequer, to be situated on the High Street. The latter was never built, probably because of the cost. In October 1633, Charles had instructed the town council to raise St Giles' to a cathedral, which necessitated taking down the partitions that allowed St Giles' to house two congregations and, in its south-west corner, a multitude of secular activities. As a consequence, Edinburgh would require two new churches to house the evicted congregations. A comparison between the execution of these two schemes suggests that although serious cash-flow problems affected both projects, the difficulties encountered in the church building scheme outweighed those of the parliament house.

Most historians have assumed that the church building scheme and the parliament house project were linked,¹⁴² but while it is known that the bishopric was definitely *not* the town council's idea, the first reference to a parliament and session house is in the council's records, in advance of the scheme for a cathedral. Was the parliament and session house therefore a town council initiative? Their offer to build

¹⁴¹ NLS, To My Reverend Brether, Wod.Qu.LXXXIV, ff.42, 413. NLS, The Reconceiler, Wod.Qu.LXXXIV, ff.28, 247.

¹⁴² *Edin Recs 1626-41*, p. xi. C.A. Malcolm, 'The Parliament House and its Antecedents' in *An Introduction to Scottish Legal History* (Stair Society, 1958), 454. A. MacKechnie, 'The Crisis of Kingship: 1603-1707' in M. Glendinning (ed.), *The Architecture of Scottish Government: From Kingship to Parliamentary Democracy* (RCAHMS, Dundee, 2004), 94, 96, 91-2. Hannay and Watson, 'Parliament House', 17.

these structures, seemingly unprompted, in March 1632, and ‘upon ther owin charges’, might suggest so. It is often forgotten, because attention has focused on the parliament house, that the ‘Counsell, Exchequer, and Colledge of Justice’, who were also to be provided with accommodation, were arguably of far more importance to the burgh.¹⁴³ One of Edinburgh’s principal concerns after 1603 was to make it virtually impossible for the organs of national government and the judiciary to relocate from the capital. In recent years, changes to the membership and diets of the court of session, Charles’s plans to make greater use of peripatetic justice ayres, rather than base the criminal courts in Edinburgh, and the fact that the privy council had already been relocated to Holyroodhouse, may have given town councillors reason to be uneasy.¹⁴⁴ Someone with the king’s ear could have pointed out the danger to the town council: purpose-built accommodation might eradicate one excuse for moving the courts out of Edinburgh. In October 1633, Charles explicitly directed the privy council and exchequer ‘at all tymes heerafter’ to sit in Edinburgh, in the same letter that urged diligence on the parliament and session house and on the St Giles’ project. It is likely that this action was intended as a reward to the town council for agreeing to the king’s wishes. A permanent Edinburgh residency would also have made both lawyers and officers of state happy—apart from the convenience to both of having a permanent, fixed home in close proximity to one another, the unpopularity of Charles’s legal reforms in these circles was well known.¹⁴⁵

While there were clear benefits to the town council of a parliament and session house, it cannot be ruled out that Edinburgh was under pressure from other quarters to propose the scheme. Was it coincidence that one month before the town council offered to build a parliament and session house, Charles personally intervened to

¹⁴³ *Stirling’s Register*, ii, 611 [quotation]. Hannay and Watson, ‘Parliament House’, 6. See also M. Glendinning, R. MacInnes and A. MacKechie, *A History of Scottish Architecture: From the Renaissance to the Present Day* (Edinburgh, 1996), 67.

¹⁴⁴ The privy council moved to Holyroodhouse in 1619 but it kept drifting back to Edinburgh’s tolbooth, presumably because it was convenient to be within hailing distance of the lawyers. Charles reconstituted the privy council in 1626 and sent it back to Holyrood until 1633. *RPCS*, 1st ser., xii, 408, 463; 2nd ser., i, 250; v, 137.

¹⁴⁵ Lee, *Road to Revolution*, 92–4. NAS, Cunningham-Graham Muniments, ‘Memorandum [c.1629], GD22/3/582. Menteith was busy with circuit courts, *Red Book of Menteith*, ii, 92. *RPCS*, 2nd ser., v, 137 [quotation].

settle a seven-year dispute over the town's charter that he himself had instigated.¹⁴⁶ A parliament and session house also held out advantages for Charles, especially because he was not paying for it. Although civic imagery was employed in the new building, the king probably did see it as an opportunity to display royal authority in the capital.¹⁴⁷ The question is whether Charles already had a bishopric in mind for Edinburgh by the spring of 1632, but this we do not know. Rumours of a new Prayer Book were apparently circulating that year and if anywhere needed a bishop to oversee this inevitably troublesome project, it was Edinburgh. Transforming St Giles' into a cathedral would therefore require the removal of the various judicial bodies occupying the partitioned south-west corner of the church. A gaggle of Scottish bishops went to Court early in 1632 and returned to Scotland in March.¹⁴⁸ Did they carry home the suggestion that Charles would like Edinburgh to erect a new parliament and session house? The king's advisers must have known that the new bishopric would be regarded with something less than unadulterated joy in the capital, and it would have been logical to precede announcements about the cathedral with proposals for new secular buildings. This would have prevented obstructionists from claiming that a cathedral was out of the question because there was nowhere else to put the courts.

Whatever the motivations behind the parliament house project, it is clear that the king, town councillors, privy councillors, the legal establishment and the clerics all had something to gain from its construction, although the town council had the most to lose financially. After some initial 'uncertainty and division' amongst councillors in terms of where it should be built and how the expense was to be met, the project apparently went ahead with gusto.¹⁴⁹ There appears to have been no opposition to the scheme because it was unpopular, and even the nonconformists did not complain that it was unnecessary or that the money would have been better spent on churches. Money, in keeping with many Edinburgh projects before and since, was the chief problem. Like the 2004 parliament building at Holyrood,

¹⁴⁶ See Chapter Four, p. 155.

¹⁴⁷ MacKechnie, 'Crisis of Kingship', 96, 102, 112, 116.

¹⁴⁸ Row, *Historie*, i, 145. NLS, Wod.Qu.IX, f.310v, which also alleges that a psalm book was discussed, but dropped.

¹⁴⁹ Hannay and Watson, 'Parliament House', 27, 35 [quotation]. *Edin Recs 1626-41*, 134. ECA, SL1/14, ff.262. Row, *Historie*, i, 145.

the cost of an exciting and ambitious design was not fully appreciated in advance. Subscriptions were initially taken on 21 March 1632, but the north-west quarter of the town, where the richest inhabitants lived and the building itself was sited, were asked for further sums in August 1634. A last appeal, which raised very little, was made in May 1635. The problem was not that people failed to pay up—arrears were below 10 percent by 1636—but that the amounts promised in the first place were woefully short of the actual expenditure. The good people of Edinburgh had pledged about £33,145. With borrowing, the council managed to lay their hands on over £90,000, but the final costs, recorded in the audit of January 1642, came to £139,042.¹⁵⁰ Ironically, the estates first convened in the splendid new building in 1639, by which time its presence had helped to confirm Edinburgh's status as the natural home of the Covenanting regime. From the town council's point of view, the building had certainly been expensive, but again, like modern Holyrood, the 'faire great house'¹⁵¹ that resulted was perhaps looked on more favourably once everyone had forgotten about the cost.

The St Giles' project, which seems to have been expressly at the king's 'special desire', was a very different experience. In some senses, it paralleled the vigorous restoration of St Paul's Cathedral in London championed by William Laud, initially as bishop of London from 1628, later as archbishop of Canterbury. Both schemes were intended to beautify rather chaotic medieval buildings, whose majesty had been diminished by the ill-effects of unplanned urban development; the Scottish cathedral did not, however, benefit from Laud's direct oversight or Inigo Jones's architectural genius. Nothing as innovative as the classical portico appended to the west front of St Paul's was envisaged for Edinburgh's church. Removal of the inner partition walls, the lofts and the now superfluous pulpits had begun by January 1634, but the widely-held belief that it was 'na gude wark' seems to have stalled the project almost immediately. It was early in 1635 before the Little Kirk, former home of the south-east parish, was restored to its pre-Reformation status as the choir of St Giles'.

¹⁵⁰ ECA, Parliament House Accounts, 1633–40. Hannay and Watson, 'Parliament House', 76. They record a total cost of £127,000, but it is not clear why their figures differ from mine.

¹⁵¹ Row, *Historie*, 145. The Holyrood parliament building was awarded the prestigious Stirling Prize for architecture in October 2005.

The model for these alterations was Durham Cathedral, whose proximity to the Scottish border, rather than its breath-taking beauty, would perhaps have been the main reason for its selection. Its Norman rib-vaulted choir was viewed by the dean, James Hannay, accompanied by a mason and a wright, in February 1636. A design for the choir was drawn up that month, although it would be more than two years before work began on the altar, organ platform and choirsters' stalls. Edinburgh town council was also urged, in the same way that their London counterparts had been, to demolish the cluster of goldsmith's booths cluttering up what was intended to be an impressive visual representation of the integrated nature of civic, spiritual and royal authority.¹⁵²

Both the St Paul's and the St Giles' schemes were afflicted by controversial methods of raising money. Edinburgh's initial difficulties may have been linked to the council's futile attempts to raise an Annuity Tax, which might have paid for at least some of the church building work. Although Charles had first expressed his wish for a cathedral in October 1633, the subscription books were not opened until August 1635.¹⁵³ Citing 'thair present burdeins', the council asked the king to move his deadlines back to October 1635, which was granted, but the request may have angered Charles enough to displace the provost and name a new council prior to the Michaelmas elections of 1634. This action probably prompted the conspicuous activity of the following spring. Money problems were genuine enough, but it is possible they were as much an excuse as a reason for the lack of any substantial progress. Charles, sensing obfuscation, could, and did, change the burgh's governors, but he could not change the attitude of the population at large. By the third week of August, it had become apparent to the town council that pressurising the 'nicht-boures' was not going to convince them of the 'necessitie and charitie of the said worke'.¹⁵⁴ On 26 August 1640, five years after the

¹⁵² NLS, Wod.Qu.IX, ff.350v [quotation], 389v, 408r. *Edin Recs 1626-41*, 134, 147-48, 174. For St Paul's, see J. Summerson, *Inigo Jones* (Frome and London, 1966), 97-106; Howarth, *Images of Rule*, 58-66. Some demolition of booths and shops had already been anticipated in February 1633 by the proposal to build a new council and exchequer house on the west side of St Giles', *Edin Recs 1626-41*, 119. See Appendix, Table 2, for a description of the division of St Giles'.

¹⁵³ *Edin Recs 1626-41*, 134, 168. ECA, SL1/14, ff.346, 348. NLS, Wod.Qu.IX, ff.347v, 350. Charles allowed the town to tax the inhabitants in January 1636, *Charter-House of the City of Edinburgh*, no. 88 (quotation).

¹⁵⁴ *Edin Recs 1626-41*, 148. ECA, SL1/14, ff.348.

subscription books had opened, and nearly seven years since the project had first been mooted, the town council observed that the 'voluntary offering' had still not been collected.¹⁵⁵

An interesting detail in one of the subscription books sheds a flickering light on how this ill-fated project may have been regarded in Edinburgh. John Hamilton, occupation unstated, resident of the north-east quarter, gave a respectable 500 merks as his contribution, one of the highest sums. However, against his name, and no other, the bailies noted that 'he will not subscribe the book, for reasons knawin to himself'.¹⁵⁶ Could this be the same John Hamilton, apothecary, who had been banished for resisting the Perth Articles in 1624? The Annuity Tax roll shows the property owner 'John Hamilton, appoticarie' as resident on the north side of the High Street, north-east quarter, in 1635.¹⁵⁷ As the books are incomplete, it would be problematic to undertake any investigation into whether known non-conformists boycotted the project; a Robert Meiklejohn, for example, did make a substantial offer, but was not named in the subscription book.¹⁵⁸ This tiny fragment of information, coupled with the obvious problems that the council was having with the project in general, raises at least the possibility that religious disaffection in the capital was affecting completion of the scheme.

The Crown's religious policies took on another striking visual aspect in the early 1630s, when at least three of the capital's churches acquired expensive new items for use in communion and baptism. Some of the pieces were commissioned in London, and were probably intended to be in use by the time Charles arrived for his coronation. They were ornately decorated in comparison to earlier examples, and may signify an attempt to extend to Scotland the 'beauty

¹⁵⁵ A comparison might also be made with the building of a library for the college in 1615. There were considerable sums given towards it, notably by William Nisbet in 1619, and the college remained a favoured recipient of legacies for books, the stipends of professors and chambers for students. *Edin Recs 1604–26*, p. xxx, 190. *Edin Recs 1626–41*, 243. See *Edin Recs 1604–26, 1626–41, 1642–55*, index, College, for references to legacies.

¹⁵⁶ It was not because he was unable to write. Where this occurred, individuals made a mark and the bailies signed for them. ECA, Subscription Book, north-east quarter, Moses Bundle 195, no. 7058. The other book, for the south-west quarter, is at ECA, Moses Bundle 196, no. 7080.

¹⁵⁷ Watson; 'Owners of Property', 110.

¹⁵⁸ ECA, Offer Book, south-west quarter, Moses Bundle 196, no. 7080. It is not clear what the difference between the Offer Book and the Subscription Book is. They all contain differing numbers of names.

of holiness' associated with William Laud, archbishop of Canterbury.¹⁵⁹ One particularly interesting piece is a bread plate, gifted to the north-east parish by thirty-four parishioners and first appearing in the kirk session records in August 1633 (see plate 5). In the centre of the plate is an image of Christ kneeling to receive the sacrament. Apart from the minister, Thomas Sydserf, the list of donors carries the names of six kirk session members, seven town councillors (there was overlap here) and two advocates. Shared surnames suggest that a further four individuals were related to either town councillors or kirk session members. Three men, James Roughead, George Suittie, younger, and William Carnegie, would be prominent under the Covenanting regime, hinting again that political influence was largely unrelated to religious affiliation. Possible north-east parish parishioners John Mein, William Nisbet and David Aikenhead are not listed as giving money for this plate. How these items survived the 1640s is a mystery. A number of new communion cups were commissioned during the early 1640s (see plate 6), probably to supply the new parishes created by the 1641 reorganisation, but there are no indicators that the Trinity church congregation replaced its recently-acquired items.¹⁶⁰

The pamphlets circulating in Edinburgh criticising the new bishop, and the repeated attempts to have the recent changes in worship considered by either a parliament or convention, strongly suggest that the aggressive policies pursued by the government were meeting with considerable hostility. Two fragments of information dating from the early 1630s could suggest that these policies were generating tensions amongst the wider population. An act of 8 March 1633 in the kirk session records for the south-east parish claimed that there had been 'great abuse and daylie misordour committed be servandis alsweill men as women in all the kirkis of this burgh, in fechtin and another, brecking of stulis and making of suches schamles voice and dyn in godis hous'. By this time it was known that the king would soon be arriving in Scotland. While the ministry became 'sumquhat mair vehement' in their attempts to make

¹⁵⁹ *Religious Controversy*, ed. Mullan, 3.

¹⁶⁰ I am grateful to Mr George Dalgleish of the National Museum of Scotland for giving me a copy of his draft article. References to the communion plates are in NAS, CH2/141/1, 15 Aug. 1633, 26 Sep. 1633. There are no church records for the 1640s. For possible residencies in the north-east quarter in 1634 and 1636, see ECA, SL135/1/3.



Plate 5: This bread plate, crafted in Edinburgh by Thomas Kirkwood, was commissioned by Trinity College church in the autumn of 1633 and paid for by the parishioners through voluntary donations. It depicts Christ kneeling to receive the sacrament. If this piece aroused controversy in a burgh deeply hostile to kneeling, it nonetheless survived the Covenanting period undamaged.

Edinburgh's population conform to the Perth Articles, work had begun in the chapel at Holyroodhouse to hang bells and build an organ—features which were considered by nonconformists to be akin to idolatry, and by many others as simply unnecessary ornamentation.¹⁶¹ In the previous year, there had apparently been 'disorders' because the remaining minister of the south-east parish, David Mitchell, his colleague John Maxwell having been promoted to the bishopric of Ross, had preached sermons advocating 'the ordor of the kirk of England in thair kneiling at the ressaving of the Sacrament'. Mitchell had compounded the insult by claiming that the Scottish communion was 'ane pure [poor] barbarus forme'.¹⁶² This evidence suggests that

¹⁶¹ NLS, Wod.Fo.XVI, ff.79–80. NLS, Wod.Qu.IX, ff.318.

¹⁶² Appendix, Table 2. NLS, Wod.Qu.IX, ff.305. Mitchell had previously been at Garvock, Fife for nine years before his move to Edinburgh. He was deprived in



Plate 6: Silver communion cup, commissioned for the south-west parish, occupying Greyfriars' church, in 1644. Like the cups produced for the north-east parish in the 1630s, a civic, rather than religious, image is depicted inside the bowl—a three-towered structure that probably represents Edinburgh's Netherbow port.

Mitchell had made himself so unpopular with his parishioners that at least some felt no compulsion to treat his preaching with either respect or reverence.

There is another example of discontent in the burgh, from around this time, which reflected badly on the government. On 6 March 1633, Mr George Nicoll, a former servant to secretary of state Sir Archibald Acheson, was publicly pilloried and whipped in front of St Giles' for spreading rumours about the earls of Traquair and Strathearn (formerly Menteith) and the lord advocate. It seems that the crowd present that day were in sympathy with Nicoll, whose assertion that certain leading statesmen had their snouts in the trough was popularly thought to be nearer fact than slander. One commentator marvelled that the gathering of so large a number of discontented people had not ended in a 'notabill tumult and seditioun', and added that had the statesmen themselves been present, they might have found themselves 'in grite danger of their lyffis'.¹⁶³ Comparisons were made with the English court of Star Chamber, and although it is not possible to surmise if there was a connection to religious dissent, these fragmentary pieces of information do allude to heightening tensions in Edinburgh during the early 1630s. It seems likely that a whole range of problems, including rising taxation, economic contraction and a growing dislike of the government and its methods, had created an atmosphere in which resistance to religious policy could easily begin to provide a focus for wider political grievances.

Forbes's unexpected demise in April 1634 might have been expected to calm some of the passions aroused by this controversial figure. Instead, a robust campaign was launched immediately, aimed at blocking the appointment of the man most favoured by Charles and, apparently, the archbishop of Canterbury, Forbes's colleague, Thomas Sydserf. This time, it was expressly 'the Magistrates, and indeed all ranks in Edinburgh' who opposed him, and the reasoning was made plain: 'if Mr Sidserf wer thrust in upoun them, it would certainly occasion commotions in Edinburgh, which would tend to the prejudice

1638 but survived to be promoted to the episcopate in 1662. It is not known where he acquired his MA. *Fasti*, i, 70, 74, vol. v, p. 469. Forbes had also been minister at the East Kirk in the 1620s, but it seems unlikely that the idea of an Edinburgh bishopric, with him as the incumbent, was widely known about before the king's coronation visit.

¹⁶³ NLS, Wod.Qu.IX, ff.311, 322. Lee, *Road to Revolution*, 135.

of the bishop and the course of conformity'.¹⁶⁴ Evidently his legacy as an enforcer of the Perth Articles had not been forgotten by anyone. It was a rare occasion indeed, for Charles appears to have been willing to compromise. The learned conformist, David Lindsay, bishop of Brechin, was consecrated in Edinburgh on 16 September 1634, and Sydserf was fobbed off with Galloway, but that was not the end of the matter. When Edinburgh exploded into its second riot on 18 October 1637, Galloway was 'reskeud' from the mob on the High Street only by the intervention of a number of noblemen.¹⁶⁵ There were clearly people in the capital who thought they had a score to settle.

The Prayer Book Controversy

It was against this backdrop of widespread discontent that the idea of a Prayer Book for the Scottish church was mooted. James VI had wanted to impose a liturgy in 1617, but given the furore surrounding the Perth Articles, he was dissuaded from pursuing it further. In 1632, however, rumours that 'the liturgie of England'¹⁶⁶ was under consideration again were soon corroborated by activity at the chapel in Holyroodhouse. The difficulties experienced by Archbishop Laud in his efforts to reform the chapel during 1634 were blamed on Adam Bellenden, bishop of Dunblane, whose position included the deanery of Holyrood. The archbishop took a very dim view of Bellenden, who had stirred up theological debate with Edinburgh's clergy, omitted to use some of the prayers in the English liturgy and had resisted wearing whites. When opportunity presented itself, the bishop was shunted off to the see of Aberdeen, while his former place was filled by a more pliant individual, James Wedderburn. Aberdeen did not curb Bellenden's irritating habits (any more than it curbed Samuel Rutherford, who was sent there in 1636). When Laud discovered that Bellenden had allowed the 'ill custom' of a public fast late in 1635, the archbishop told Spottiswoode—a man who was Laud's ecclesiastical equal, the head of a separate national church and, as chancellor of Scotland, arguably his superior in state

¹⁶⁴ Lippe (ed.), *Divines of the North East of Scotland*, 168. NLS, Wod.Qu.IX, f.357r.

¹⁶⁵ *Ancram and Lothian*, i, 94–6. Gordon, *Scots Affairs*, i, 21–4.

¹⁶⁶ NLS, Wod.Qu.IX, f.310v.

matters—to admonish him. The view from Canterbury was of a Scotland lacking in order and piety. A Prayer Book, Laud was sure, would help to fix this.¹⁶⁷

The use of an English liturgy at Holyrood was generating arguments in Edinburgh, and perhaps even some kind of ‘disturbance’, as early as 1634.¹⁶⁸ This was not simply because the Scots were suspicious of anything that came out of the Anglican church. Apart from the obvious association between the recited prayers of the Book and catholic practice, the liturgy was also objected to because in its suppression of *ex tempore* preaching and the imposition of a prescribed order, it undermined the Calvinist links between faith and the Word. Scots did regard the Book as an unwelcome English imposition (the Prayer Book’s Scottish past was conveniently glossed over) and, as one pamphleteer pointed out, the danger of accepting this innovation was clear: ‘Doth it not tend to perfect conformitie with the English church, then at last will it not end in full conformitie with the Romane kirk?’ The Scots had created the perfect reformed church, and to embrace, rather than resist, English corruptions was all part of the ‘bluidie designs’ of the Antichrist.¹⁶⁹

What is so surprising about the Prayer Book is not just that it was imposed, but the clumsy way in which it was done. Henry Guthry, the future bishop of Dunkeld, queried the government’s strategy of making Edinburgh the test-case for the Book, rather than having it gradually brought in across those parts of the country where opposition would have been weaker. Was Traquair the one who suggested this, in full knowledge that Edinburgh’s reaction would ruin plans to impose the Book anywhere else—and ruin the power of the bishops, too? Anti-Prayer Book propagandists were given further grist for their mills by the government’s failure to give even a gloss of consensus by consulting the general assembly or achieving parliamentary ratification, as had occurred, eventually, with the Perth Articles. It was imposed instead by royal prerogative, through the privy council. A proposal that the synod of Lothian should be allowed to see a draft of the Book and return comments came to nothing.¹⁷⁰

¹⁶⁷ Laud, *Works*, vi, pp. 370–71, 383–84, 409, 443 [quotation], 457. Wedderburn was very much in favour with Laud and tipped for higher things, *Works*, vi, 434.

¹⁶⁸ Laud, *Works*, 370–71, 383–84. NLS, Wod.Qu.IX, 361r.

¹⁶⁹ NLS, Queres Concerning the Estait of the Kirk of Scotland, Ms.1939, ff.40–8.

¹⁷⁰ J. Leslie, *A Relation of Proceedings Concerning the Affairs of the Kirk of Scotland* (Edinburgh, 1830), 2. Row, *History*, i, 4. Guthry, 22. [Balcanquhal], *Large Declaration*, 22.

This lack of public consultation enabled the nonconformist propagandists to put the worst conceivable interpretation on what was contained in it, because of course there was no evidence to the contrary. The process was further hampered by lay-clerical rivalry on the privy council.¹⁷¹ The principal architects of the various drafts produced between 1634 and 1636 were John Maxwell, bishop of Ross and Wedderburn of Dunblane.¹⁷² Ross, in particular, was so blinkered by the delightful vision of royal gratitude and favour that he could see no obstacles. His rival, Traquair, was rumoured to be encouraging the younger bishops in these delusions, in the belief that when the whole thing blew up, these ambitious clerics would be the main casualties. Spottiswoode, perhaps suspecting this, allegedly wrote to his English counterpart, telling him that the Book was already regarded as nothing short of the Mass and ought to be delayed.¹⁷³ Laud, blind to the warning lights already flashing over the Holyrood Prayer Book, chose to ignore Spottiswoode. Who was left, that Charles would have heeded, to tell him that his policy was about to crash into the buffers?

By the end of 1635, Ross had been 'entrusted with the press' and the final version, which had increasingly become his version, was well underway. A book of canons and a book of ordination were also being prepared, also with Ross and Wedderburn's participation. The former was in use by January 1636, although Laud expressed unhappiness with the ordination book in April.¹⁷⁴ This activity spawned 'quiet meetings' amongst the clergy. Edinburgh notables and the privy council were also holding consultations by at least the spring of 1637, when the final version appeared. The air of mystery gathering around the Book was sustained by the fact that in November 1636, the privy council had seen only a draft. According to Robert Baillie, who was waiting to have sight of it, last-minute editing was still taking place in January 1637. Meanwhile, the opposition in the capital was gathering momentum. A timely edition of Calderwood's *Re-examination of the Five Articles of Perth* was in print by the autumn of 1636, just in case anybody's memory regarding previous Crown

¹⁷¹ Baillie, i, 4.

¹⁷² For Wedderburn's theological position, see *Religious Controversy*, ed. Mullan, 8, 50–81.

¹⁷³ Lee, *Road to Revolution*, 207–8. Donaldson, *Scottish Prayer Book*, 47–59. Baillie, i, 14. Guthrie, 19–20.

¹⁷⁴ Donaldson, *Scottish Prayer Book*, 44, 47, 50. Laud, *Works*, vi, 434, 456.

policy was failing them.¹⁷⁵ As early as the first weeks of 1637, Lord Advocate Hope was as convinced as Robert Baillie that the nobility and gentry, of both sexes, were so 'farr on a way to separate from all who will imbrace it', that he was ruminating on whether he ought to alert the Court in London.¹⁷⁶

In November 1636, parishes were ordered to begin acquiring a Prayer Book, in preparation for its use at Easter, but six months later many ministers had not done so and were apparently doing 'what in thame lyes to foster and interteane distraction and troubles'. Against this background of mounting hostility, the bishop of Edinburgh, David Lindsay, seems to have taken it upon himself to press for the use of the Prayer Book. A curious comment by Hope, uncorroborated elsewhere, stated that on 23 May, the Book was 'urgit but resistit'.¹⁷⁷ On 31 May, Lindsay was defied by a synod held in Edinburgh, which refused to receive the Book.¹⁷⁸ Apparently Easter Day had been ear-marked for the first airing of the new Book but the date was put back; had the bishop tried to pre-empt agitators and failed? John Row thought so, and asserted that the Prayer Book had been brought in prematurely because of deep concern about Edinburgh's reaction.¹⁷⁹ Guthry later claimed that, as early as April, a 'consultation' had been held in Edinburgh at the house of that notorious conventicler, Nicolas Balfour. A number of 'matrons' of Edinburgh consulted with Mr Alexander Henderson, representing Fife, and Mr David Dickson, representing the west country, to plan an 'affront to the book'.¹⁸⁰ John Livingstone's information corroborates the idea that ministers were meeting with Edinburgh's leading female nonconformists. He claimed that Lady Binning had told him that she had been advised by some friends to absent herself from the church, but it was in her mind to remain in the church until the hated article was produced, whereupon she would 'rise, and goe

¹⁷⁵ Stevenson, *Scottish Revolution*, 57–9. Row, *History*, 377, 390–91, 407. *RPCS*, 2nd ser., iv, 336, 343. Baillie, i, 4, 6. J.M. Henderson, 'An "Advertisement" about the Service Book, 1637' in *SHR*, xxiii (1926), 203. Another work, purporting to be a debate between Samuel Rutherford and Thomas Sydserf was also circulating, *Religious Controversy*, ed. Mullan, 82–100.

¹⁷⁶ Baillie, i, 6, 17. *Diary of Public Correspondence of Sir Thomas Hope of Craighall 1633–45*, ed. T. Thomson (Bannatyne Club, 1843), 55.

¹⁷⁷ *RPCS*, 2nd ser., vi, 449. Hope, *Diary*, 61.

¹⁷⁸ Stevenson, *Scottish Revolution*, 59.

¹⁷⁹ Row, *History*, iii, 408. [Balcanquhal], *Large Declaration*, 22.

¹⁸⁰ Guthry, 23.

out'. Undecided about the best course of action, she went on to ask Livingstone if some of his colleagues might advise her also.¹⁸¹ If this does not absolutely confirm that some of Lady Binning's friends knew there was likely to be something of a fracas on the day, it certainly shows that Edinburgh inhabitants, during the many months of rumour and speculation, had been giving a great deal of thought to demonstrations of their disapprobation at this latest innovation.

A Culture of Dissent

The Prayer Book riot surprised almost nobody in Scotland. It had clear antecedents which could be traced by contemporaries back to the inception of the Five Articles of Perth and, for some, perhaps earlier. For the radicals who formed the nucleus of resistance to the Prayer Book, the Articles were part of a much bigger issue. They believed that the resurrection of episcopacy was a popish corruption which was defiling their church. William Struthers, who had previously written at least four tracts in support of Crown policy, made it abundantly clear that the two were linked when he told the earl of Menteith in June 1631 that 'o[u]r churce lyis alreddie groning under tuo burdens, the first of the erecting of bishopes the uthr of kneiling'.¹⁸² Men of Cathkin's stamp had been involved in religious dissent since the 1580s and, although he did not live long enough to see the Prayer Book riot, it is probably safe to assume that he would have been in the front line if he had done. These people, who had been outmanoeuvred by the wily tactics of the king and his advisers after 1596, leapt on the Five Articles as a vindication of their position, and proceeded efficiently and effectively to convince the moderate mainstream that this was the case. James's mental horizons had probably stopped somewhere around 1610. His attitude towards those who resisted the Articles suggests a man who did not understand how the debate had changed. There was infinite

¹⁸¹ Livingstone, 'Memorable characteristics', 348. Livingstone knew Lady Binning was an Erskine but did not recall her first name. The most credible candidate, Catherine, daughter of James's childhood friend, the earl of Mar, is said to have died in 1635, Balfour, *Works*, ii, 222. Other references to her are based on Balfour, who may have got his dates wrong, for example, *Scots Peerage*, v, 622.

¹⁸² NLS, Wod.Qu.LXXXIV, f.406.

scope for persuasion (of the positive and negative kind) if nothing fundamental was at stake. Bishops, whites, even organs, did not interfere with the very personal relationship between God and his people. Kneeling certainly did.

Edinburgh was at the heart of a nonconformist network with links in Lothian, Fife, Glasgow and its rural hinterland. This was a formidable alliance, not just because of its geographical spread, but because of the support they gave one another. People like Mein, Rig and Samuel Rutherford were unshakeable in their conviction that God would take care of his own; whatever trials they had to face were mere tests of their suitability to fulfil His great design. Accusations of schism could confidently be denied because it was Spottiswoode and his ilk who were the separatists. They were the ones who, by enjoining conformity to the Articles, were breaking the fellowship with Christ which was symbolised by and effected through the sacrament. If that made the king a schismatic, then so be it; there was no competition between the word of King James and the Word of God.

Not everybody thought like this. Moderates were still pious and godly men, but they were also pragmatists who knew that there were heavy penalties for upsetting the king. This might be regarded as a cynical motive, but losing one's job was not just about the worldly concern of having an income and somewhere to live. As Thomas Sydserf told Samuel Rutherford, no church on this earth was perfect, and if everybody insisted on taking a stand on disputed issues there would be 'no church at all'.¹⁸³ Other ministers may have thought that their first responsibility was to their parishioners. John Hall's congregation may have thought that his rigid maintenance of principle had ultimately deprived the community of their spiritual guide, and that this was a rather selfish act. In this vein, the future Edinburgh minister David Mitchell, then at Garvock in Fife, took six months of agonising to come to the conclusion that the Perth Articles were not a sufficiently 'weightie and violent cause'¹⁸⁴ to prevent him fulfilling his primary duty of preaching the gospel. These principles, stressing unity and harmony over doctrinal purity, were dismissed by the 'precisians' as a cover for venality or self-interest. Many clergymen

¹⁸³ Mullan, *Scottish Puritanism*, 261, quoting NLS, Ms.15948, 329.

¹⁸⁴ A.S.W. Pearce, 'John Spottiswoode, Jacobean Archbishop and Statesman' (PhD thesis, Stirling University, 1998), 323.

probably did want a quiet life, but this did not necessarily make them bad ministers or uncaring pastors.

The Perth Articles created a schism in the kirk that by 1625 had propelled it into crisis.¹⁸⁵ There were also significant political repercussions. If the Edinburgh godly had been marginalised after 1596, they had certainly not gone away. Although rarely to be found amongst the urban elite, they were still socially significant individuals whose high status in the community stemmed from their religious authority. Few would have wanted to be out of bed on a wind-blasted Edinburgh morning for prayers with John Mein, but the broader values this behaviour fitted into had cultural significance for the burgh community at large. There is absolutely no doubt whatsoever that kneeling was greeted with widespread revulsion in Edinburgh and it was this general popular support for their position that enabled the godly to defy all attempts to make them conform. Town councillors were not government appointees, they were leaders of a distinctive urban community with its own interests. The king could, and did, make life very difficult for Edinburgh town council over the Perth Articles, but the council, even under so-called conformists, did virtually nothing to encourage adoption of the Articles. Perhaps a William Nisbet lost favour, perhaps a William Dick was not promoted in these years, but the real loser was royal authority, because Edinburgh town council was not prepared to do what the king wanted against the wishes of the local community.

This was the attitude of privy councillors, too. Unlike town councillors, they *were* royal appointees, but they were also not immune from local influences. Councillors and lawyers were Edinburgh residents, albeit temporary ones, who worshipped alongside the burgh's permanent inhabitants. There was clearly sympathy, even possibly collusion, with nonconformists amongst the political elite. As a corporate body, religious affiliations were of less concern than the maintenance of the council's authority in its own back yard: the privy council no more wanted to be the king's rubber stamp than a body of bishops' hangmen.¹⁸⁶ Consequently, despite crying constantly about persecution, Edinburgh's nonconformists were treated with a great deal of latitude. In the long-term, this allowed anti-Articles resistance to become deeply embedded into Edinburgh's existing culture.

¹⁸⁵ Mullan, *Scottish Puritanism*, 228. MacDonald, *Jacobean Kirk*, 186.

¹⁸⁶ Calderwood, *History*, vii, 450.

Household gatherings to read Bibles and hear sermons were a well-known feature of Scottish religious life,¹⁸⁷ but the Articles enhanced their purpose, meaning and popularity. The subversive nature of conventicling after 1617 gave these meetings renewed prominence, but also wove the participants into a historic narrative that emphasised Edinburgh's self-conscious role as an engine of reformation. Periodic glimpses of the 'privy kirk' in Edinburgh reveals a subculture that flourished in the capital's fluid, cosmopolitan society. Nonconformist activity offered an alternative to the patriarchal, hierarchical structures of church, guild and town council, making it particularly attractive to women who, as we have seen, were vital members of these informal networks.

The continuity of the Perth Articles debate in Edinburgh throughout the later 1620s and early 1630s is evidenced by the pamphlet propaganda, the persistent problems getting people to communicate in the capital and the palpable hostility towards conformist ministers. For Charles I, the answer to these difficulties was more order, not less. For many nonconformists, the future as envisaged *circa* 1633 was a bleak one, prompting a number of Scottish ministers to contemplate resettlement in New England.¹⁸⁸ Their pessimism was, however, ill-founded. The Caroline house had been built on sand, and was steadily being undermined by a rising tide of opposition. While there were certainly other factors in play, the nonconformist community which had coalesced around the issue of the Perth Articles was well-placed to organise resistance. Deep unease at the religious path which the king seemed to be taking was coupled with a genuine fear that, even if the Scottish church was not being returned to Rome, it was being swamped by English practices, which was coming uncomfortably close to the same thing. On 23 July 1637, the church-going population of the capital, some of whom had grown to adulthood within a clandestine subculture of dissent, spearheaded a genuinely popular revolt against the Anglicanising, Romanising, corrupting policies of the monarch.

Moderates probably took a pragmatic view of the riot. It would tell the king what sycophantic bishops and hapless privy councillors had failed to tell him, that the Prayer Book would not be tolerated, that the Perth Articles were odious and that when he got rid of

¹⁸⁷ Todd, *Culture of Protestantism*, 311–13.

¹⁸⁸ Mullan, *Scottish Puritanism*, 37–8.

them, everybody could go home reassured that normality would soon be restored. The radicals saw things differently. Struthers had warned Menteith seven years earlier that further 'novations' would spark 'ane new fyre of combustionis',¹⁸⁹ and so it proved to be. The Perth Articles were swept away in the general assembly of 1638 and the subsequent parliament. Few mourned their passing. This was not the end of the matter, however, because now the radicals were in charge, and they were determined not to stop until the new Jerusalem had been purged of foul corruptions. So the bishops were intimidated, deprived, excommunicated, then abjured, then declared unlawful. The latter word had far-reaching consequences; bishops could not be lawful in England while they were unlawful in Scotland. Charles, like James, believed that no bishop implied no king. On a scaffold twelve years hence, Charles would ultimately be proved right.

¹⁸⁹ NLS, Wod.Qu.LXXXIV, ff.406–8.

CHAPTER SIX

THE NATIONAL COVENANT AND THE BISHOPS' WARS IN EDINBURGH

The National Covenant

The National Covenant remains an iconic document in Scottish culture. Although links have been made with the declaration of Arbroath,¹ contemporaries would have been more familiar with George Buchanan and John Knox.² For all its studied vagueness, the Covenant at least hints that loyalty to the monarch is contractual. One of the Covenant's chief architects, Johnstone of Wariston, was reading Buchanan in January 1639 and an edition of the *Rerum Scoticarum Historia* came off an Amsterdam printing press in 1643. Buchanan's assertion in the *De Jure Regni* that kings who enacted the law were no different from those who were left 'free and unbound by the laws' might have particular resonance for Scots who had seen the Prayer Book imposed by royal prerogative. For John Knox, the contract between monarch and people was a Covenant; if broken by the monarch, this justified resistance to the proper authority. Knox's *History* was reprinted and went into circulation in 1644.³ The Covenant was not just a political statement, however.⁴ In banding together as one nation before God, the Scottish people were claiming to be the second Israel, a chosen nation of the Elect.⁵ This was clearly an advance on the

¹ Ford, 'Conformity in conscience', 276.

² I would like to thank Roger Mason for his advice on this point.

³ Makey, *Church of the Covenant*, 7. Wariston, *Diary*, 408. H.G. Aldis, *A List of the Books Printed in Scotland before 1700* (Edinburgh, 1970), nos. 1073.5, 1143. R.A. Mason and M.S. Smith, *A Dialogue on the Law of Kingship among the Scots: A Critical Edition and Translation of George Buchanan's De Iure Regni apud Scotos Dialogus* (Aldershot, 2004), p. {32}. Samuel Rutherford also made extensive use of Buchanan, J. Coffey, 'Samuel Rutherford and the Political Thought of the Scottish Covenanters' in Young (ed.), *Celtic Dimensions*, 80. *The Works of John Knox*, ed. D. Laing (6 vols., Edinburgh, 1895), ii, 280–82.

⁴ Steele, 'The "Politick Christian"' in Morrill (ed.), *Scottish National Covenant*, 42–3. Lee, *Road to Revolution*, 228.

⁵ Steele, 'The "Politick Christian"', 48, 53. Leslie, *Relation*, 70.

1580 Confession of Faith, which had been sanctioned by the monarch to make a political statement, although it was renewed and circulated in 1590.⁶ The Covenant of 1596 had been greeted with great effusion of joy by the general assembly and sent out to the parishes, but its purpose was limited to a vow of diligence in one's religious life.⁷ Although hardly original in its conception, the 1638 Covenant became 'one of the most profound experiences in Scottish history',⁸ not only because of a vast subscription campaign encompassing people of all social backgrounds, but also through the astonishing ambition of the vision behind it.

In its immediate context, the Covenant had a less elevated purpose. It signified the exhaustion of normal channels of protest and the beginning of a more radical phase that would culminate in a second reformation, a constitutional revolution and war with the king. To protect themselves from being regarded, and prosecuted, as a rebellious faction, the supplicants drew up a document which claimed to band the entire nation with God. For many of the landholding elite whose names headed every copy, the Covenant probably was a 'traditional Scottish remedy'⁹ for unpopular royal policies. Their aim was not a socio-political revolution, but the restoration of an ideal political order jeopardised both by Charles's authoritarianism and the revolt against it.¹⁰ Not surprisingly, when the Covenanters set up their alternative form of conciliar government, its radical potential was blunted by the creation of structures that strictly reinforced the existing social hierarchy. Nonetheless, the Covenant more than hinted at social revolution, by giving a political voice to a godly nation expressly comprised of 'all his Majesties subjectis of what ranke and quality soevir'. In practice social 'ranke' was expressed in traditional terms, but its all-embracing inclusiveness was a genuine aspiration, not just a rhetorical device.¹¹

⁶ Calderwood, *History*, v, 90.

⁷ Calderwood, *History*, v, 408, 436–37.

⁸ E.J. Cowan, 'The Making of the National Covenant' in Morrill (ed.), *Scottish National Covenant*, 68.

⁹ Morrill, 'Introduction' in Morrill (ed.), *Scottish National Covenant*, 12.

¹⁰ Stevenson, *Revolution and Counter-Revolution*, 232. R. Mason, 'The Aristocracy, Episcopacy and the Revolution of 1638' in T. Brotherstone (ed.), *Covenant, Charter and Party: Traditions of Revolt and Protest in Modern Scottish History* (Aberdeen, 1989), 10, 16, 17.

¹¹ D. Stevenson, 'Copies of the Covenant in Edinburgh', in *RSCHS*, xxiii (1989),

Questions about how the Covenant came into being and its subsequent interpretation have been well rehearsed both by contemporaries and historians.¹² It is less clear how the Covenant was received by local communities and here, Edinburgh's case is particularly interesting.¹³ As a royal burgh and capital of Scotland, the riots of 23 July 1637 placed the guardians of that community, the town council, in a predicament. Along with some of the older bishops, there was no body of people in Scotland who knew better than the town council how the riots had come about. In 1636–37 there were fourteen men on a town council of thirty-three members who had been councillors during the last half-decade of James VI's life, when resistance to the Perth Articles had caused so much chaos in the burgh.¹⁴ Enforcing the Prayer Book in Edinburgh was simply not feasible because the opposition to it was so widespread and well-organised.¹⁵ Although Charles was probably told this,¹⁶ he could not see beyond the narrow political arguments put forward by advisers such as Laud or Thomas, Lord Wentworth (later earl of Strafford), who did not know Scotland or understand its history of resistance to the Perth Articles.¹⁷ Charles appears to have believed that the Scottish people were not principled protestors, but rebels who wore their religion as a cloak to cover sedition.¹⁸ In keeping with his conviction that the policy was perfectly sound, Charles also came to the conclusion that as the people implementing the Book were at fault, there was no

259. D. Hay Fleming, 'The Subscribing of the Covenant' in W.M. Bryce, *The History of Old Greyfriars Church* (Edinburgh, 1912), 84.

¹² Wariston, *Diary*, 282–331. Spalding, *Memorials*, i, 85–7. Baillie, i, 56–68. Leslie, *Relation*, 76–83. [Balcanquhal], *Large Declaration*. Gordon, *Scots Affairs*, i, 32–46. Stevenson, *Scottish Revolution*, ch. 3. Donald, *Uncounselled King*, ch. 2. Macinnes, *Making of the Covenanting Movement*, ch. 7.

¹³ DesBrisay, "'The Civill Wars'", in Dennison, *et al.* (eds), *Aberdeen*, i, 242–47. Steele, 'The "Politick Christian"', 31–2.

¹⁴ William Dick, Alexander Clerk, David Aikenhead, James Cochrane, George Suittie, Archibald Tod, Andrew Ainslie, John Sinclair, Gilbert Williamson, merchants and James Guthrie, skinner, John Bicked, bonnetmaker, Thomas Weir pewterer, Thomas Weir, furrier and John Pringle, surgeon were on the council between 1619 and 1624. *Edin Recs 1604–26*, 182, 197, 212, 226, 237, 256–57. *Edin Recs 1626–41*, 182.

¹⁵ See Chapter Five.

¹⁶ Stevenson, *Scottish Revolution*, 86–7.

¹⁷ Laud did not understand why the Scots found the changes in worship so offensive. *The Works of William Laud*, ed. W. Scott and J. Bliss (7 vols, Oxford, 1847–60), iii, 298–99; vi, 457, 493–95, 503, 505. Wentworth thought the Scottish government needed more oversight from England, Stevenson, *Scottish Revolution*, 32, 100.

¹⁸ Russell, *Fall of the British Monarchies*, 207. [Balcanquhal], *Large Declaration*, 6.

need to withdraw it. This was the predicament facing both town and privy council on 23 August 1637, when Charles made it plain that nothing less than ‘a full and quyet sattling of the practise of the service booke’ was required.¹⁹

The result was a supplication campaign which was initially focused exclusively on the withdrawal of the Prayer Book.²⁰ To a certain extent, the attempt to make sense of how the Covenant came into being has partially obscured the indecision and prevarication in those early months leading up to the signing of the National Covenant.²¹ Edinburgh town council’s official endorsement of the supplication campaign was an important moment in the foundation of the Covenanting regime. If the king had managed to retain the support of his capital, the burgeoning movement would have found it that much more difficult to secure a base from which to organise their campaign. It was also crucial to the legitimisation of the movement in the country at large that Edinburgh, the seat of government, and royal government at that, was on-side; it would be difficult to argue that resistance to the Prayer Book was truly national if the capital held itself aloof. The king also recognised the importance of regaining the capital, and made royal re-occupation of Edinburgh castle a condition of the pacification of Berwick in June 1639. Given its pivotal status for both the royalists and the Covenanters, it seems worthwhile to look specifically at how Edinburgh town council came to support the Covenant. By doing so, it will be possible to put Edinburgh into a wider political context. In the early years of the Covenanting revolution, the unity of Edinburgh’s political elite, despite initial reservations, gave the regime a stable, reliable home.²² The importance of this to the initial military and political success of the regime cannot be underestimated. Edinburgh’s alliance with the Covenanting regime was as much ‘the nexus of the subsequent war effort’ as London’s alliance with the English parliament.²³

¹⁹ *RPCS*, 2nd ser., vi, 521. *Laud’s Works*, 494.

²⁰ *RPCS*, 2nd ser., vii, 700. The petition from Ayr is a good example of the type.

²¹ Stevenson, *Scottish Revolution*, 79–87.

²² Compare somewhere like Chester, which was riven by faction in the early 1640s. Johnson, ‘Politics in Chester’ in Clark and Slack (eds), *Crisis and Order*, 204–9, 212–14.

²³ Scott, *England’s Troubles: Seventeenth Century Political Instability in its European Context* (Cambridge, 2000), 148. The rise of an influential puritan minority in London has

Edinburgh Prevaricates

In the immediate aftermath of the 23 July riot both town and privy council appear to have prevaricated in the hope that Charles would have the good sense to withdraw the Book. The town council minutes are silent on the riots, strengthening the impression that the burgh was holding its breath while decisions were made elsewhere. The privy council immediately issued a proclamation on 24 July against anyone criticising the bishops, the clergy, the magistrates or the Book itself. Two of Edinburgh's ministers who had prudently refused to read the Book, Andrew Ramsay and Henry Rollock, were suspended from their duties by the bishop of Edinburgh, while the reader in the High Kirk, Patrick Henderson, was deposed.²⁴ Despite this activity, the privy council also made it clear that the town council 'must be lyable' for the disturbance 'within thair citie'. This statement suggests that the privy council were distancing themselves from the events of 23 July and were unwilling to take responsibility for restoring order.²⁵

Without the privy council's public support and knowing that some of the town's more substantial inhabitants had been involved in the disturbances, it is little wonder that the town council proved politely resistant to demands for the 'trying and punishing' of the perpetrators;²⁶ a handful of unnamed servants were warded and then released.²⁷ By the end of July, the archbishop of St Andrews was advocating the 'surceasse of the service book'.²⁸ On 10 August, nearly three weeks after the riot had taken place, the privy council was still pressing the town council to investigate the tumult, but by this time it was evident that the town council had no wish to see the 'reall performance' of the new liturgy. A letter from the bailies to Archbishop

obvious parallels in Edinburgh. Pearl, *London*, 94, 103, 160–72, 197–207, 235–36. J. Boulton, 'London, 1540–1700' in Clark (ed.), *Cambridge Urban History*, ii, 339. Brenner's exhaustive study shows that the merchant elite on the aldermanic bench were reluctant to back Parliament. Those seeking reform of church and state within Parliament consequently made alliances with more radical elements who had influence in the larger body below the aldermanic bench, called common council. Brenner, *Merchants and Revolution*, 314–15, 316.

²⁴ Stevenson, *Scottish Revolution*, 63. Leslie, *Relation*, 4. Spalding, *Memorials*, 80.

²⁵ *RPCS*, 2nd ser., vi, 483.

²⁶ *RPCS*, 2nd ser., vi, 486.

²⁷ Leslie, *Relation*, 3. Gordon, *Scots Affairs*, i, 11. Spalding, *Memorials*, 80.

²⁸ *RPCS*, 2nd ser., vi, 490.

Laud, written just over a week later, stated that the council had 'laboured' in the king's service (despite 'the povertie of this Citie'), yet Edinburgh's magistrates had no information to impart either about the trial of the rioters or their future plans for 'settling' the Book.²⁹ The lack of decisive action in the wake of the Edinburgh riot probably encouraged a copycat incident in Glasgow, when clergymen there tried to read the Book on 30 August. Once again, the involvement of those of 'the best qualitie' meant that Glasgow's magistrates proved as reluctant as Edinburgh's had been to carry out a thorough enquiry.³⁰

If the privy council were disinclined to brave the burgh population's anger, the king had no such qualms. On 18 September, after two months of foot-dragging in Edinburgh, the king sent a letter to Clerk Register John Hay. It stated that in order to ensure 'the peace of that Citie', the town council should 'leitt' and make choice of none other than Hay himself as their provost. This they duly did, but the council ensured that their customary forms were adhered to as closely as possible.³¹ Four days later, on 22 September, the town council passed an important act that, for all the assurances of loyalty, revealed its determination to resist further attempts to impose the Prayer Book.³² The council had, of course, acted 'according to thair powars to contribute in all his Ma[jesty's] services thair best indeavours', and was still prepared to do everything possible to 'maintein this citie in peace quietnes and dew obedience'. Nonetheless, the council confessed that the nobility, gentry and ministers who had congregated in the town had 'so alienated thair mynds that no such assurances can be expected now as formerlie they had'. A petition for the abandonment of the Book would be submitted to the privy council accordingly. This was a startling rejection of the king's instructions. It reflects disaffection not only with Hay's intrusion as provost, but with a long process of increasing royal interference in Edinburgh politics—London also seems to have found that the Crown's 'inces-

²⁹ *RPCS*, 2nd ser., vi, 489, 509, 510, 515. *Baillie*, i, 18. [Balcanquhal], *Large Declaration*, pp. 28–9.

³⁰ *Baillie*, i, 20.

³¹ *Edin Recs 1626–41*, 194–95.

³² Wood claims that Hay was absent, but he was not yet technically provost. The old town council were still sitting, but their provost, Alexander Clerk, had died in the first week of August. *Edin Recs 1626–41*, 194.

sant' demands were undermining its status and prestige.³³ At this crucial juncture, Charles had completely misjudged the mood inside the council chamber and alienated the very people his government relied on to implement its policies.

As supplications against the Prayer Book began to pour into the privy council,³⁴ there was increasing pressure on town councillors officially to disavow the Book. By the last week of September, Robert Baillie across in Glasgow knew that 'the whole body of the Towne', meaning Edinburgh, was engaged in 'discourses, declamations [and] pamphlets' against the Book.³⁵ It is evident from Baillie's correspondence, and from the town council act of 22 September, that its members were being lobbied to give support to the supplicants. Given Edinburgh's size, and given the social standing of some of the leading supplicants, it is unlikely that town councillors could avoid them. This created a serious dilemma for Edinburgh town council. If they supported the supplicants, but the king prevailed, he would punish the council. If they refused to back the supplicants while the king was unable to assist them, the movement's leadership, with their allies on the streets of Edinburgh, might push out the current council and replace it with men of their own choosing—something like this scenario would be played out in Edinburgh in 1689.³⁶ Crucially, the privy council was in no position to provide a counter-weight to the pressure being exerted by the supplicants. Its members were too busy trying to gain personal advantage out of the deteriorating political situation and its authority had become virtually meaningless.

Unity was hardly evident in the town council, either. Hay had been imposed on the council to force their adherence to Crown policy and it is likely that had it not been for his influence, the council would have pronounced against the Book at some time in the second

³³ Pearl, *London*, ch. 3, especially 105. See also Chapter Four.

³⁴ *RPCS*, 2nd ser., vii, 700–16. There are at least 45 petitions listed here from across Lothian, Fife and the south-west. The burghs of Ayr, Cupar, Dumbarton, Irvine, Lanark, Stirling and Culross, and the presbyteries of Haddington, Kirkcudbright, Perth and Stirling, are represented.

³⁵ *Baillie*, i, 14, 17–18.

³⁶ In spring 1689 the committee of estates forced out the town council, which they believed was sympathetic to James VII and II, by making the spurious claim that previous councils had been nominated in a 'despotick way' by the king. This could only be rectified by letting 'the whole burgessis' elect the town council. *APS*, ix, 35. *Extracts from the Records of the Burgh of Edinburgh, 1681–1689*, ed. M. Wood and H. Armet (SBRs, Edinburgh, 1962), 260.

half of September. Even before he officially took up his new position, Hay had become the focus of popular anger at the town council's prevarication. When a committee, sanctioned by the privy council and including Bishop Lindsay, met on 20 September, it was specifically Hay who was harangued by the crowd who had gathered around the Tolbooth. Two days later, the scene was even uglier. In a mutinous rejection of the dignified privacy usually accorded to the council's proceedings, a multitude of men and women rushed into the committee meeting, refusing to move until the town council agreed to present a supplication against the Book. Fearing for its own security, the town council was in no position to advance the Book; the act of 22 September followed.³⁷

On 26 September, three of the town's bailies, John Smith, James Cochrane and Charles Hamilton, with treasurer James Roughead, met with the privy council. On the previous day, the higher body had ordered the bailies 'to advise upon a dewtifull and satisfactorie answer anent the service book', but they must have convinced their superiors that the Book was a lost cause. As a result of the 26 September meeting, any further action on the Prayer Book was deferred until a petition from the town council, requesting the withdrawal of the Book, had been seen by the king. Another letter was sent to Archbishop Laud by the three bailies and the treasurer. It supported the information given to the king by Traquair and the privy council, by claiming that 'poor ignorant people' were responsible for the disorders in Edinburgh. The council then stated that the 'innumerable confluence' of people had 'diverted' them from their 'former resolution' to implement the Book.³⁸ This must have puzzled the king. If the riot had been a matter of little consequence involving people of little substance, why had the town council been persuaded in their favour?

The official election of the new council took place on 3 October and, as was typical of seventeenth-century councils, there was considerable continuity between the bodies elected for 1636–37 and 1637–38. All four bailies remained as ordinary councillors, Roughead was re-elected treasurer, as was the dean of guild, John Sinclair.

³⁷ Macinnes, *Covenanting Movement*, 164–65. *RPCS*, 2nd ser., vi, 528. Leslie, *Relation*, 9–11. NAS, Letter of 22 Sep 1637, Breadalbane Muniments, GD112/39/63/20.

³⁸ Gordon, *Scots Affairs*, i, 13. *RPCS*, 2nd ser., vi, 534. Leslie, *Relation*, 12. [Balcanquhal], *Large Declaration*, 29–30.

Three councillors, two deacons and four extraordinary deacons also continued into the following year, which meant that 15 men, nearly half the full council, had been re-elected. There were six men, plus the provost, who had never sat on the council before, but the rest all had some experience. This high level of continuity is worth commenting on in the context of Hay's unpopular promotion. His position must have been extremely difficult because he was working with the very same men who had witnessed the breach of the burgh's liberties occasioned by his nomination. The activity by the council in the last days of September, when Hay had not yet been officially installed as provost, also suggests that many of these individuals were opposed to any attempt to restore the Prayer Book.

Charles's response to the town council's petition was received on 17 October. It is unlikely that many in Scotland were pleased with its contents. His proclamation not only upheld the Prayer Book, but demanded that those who had come to Edinburgh 'to attend this bussines' leave the town immediately. This indicated that Charles expected no more petitions on the subject, as his will had been made clear to everyone. It is also apparent that Charles did not regard these petitions as a debate, but simply as disobedience. Consequently, Edinburgh would have to be punished. He decided to follow his father's laudable example of December 1596, by removing the privy council and court of session from the capital until further notice.³⁹ No doubt this was intended to bring forth grovelling apologies from a chastened town council, who would obediently impose the Book without any further difficulties. Unfortunately for the king, this was not 1596. Resistance to Crown policy had taken on a much broader, more sophisticated agenda,⁴⁰ spearheaded by young men and women who, perhaps like John Pym,⁴¹ were not prepared to give Charles the benefit of the doubt on religious issues. In October 1637, trying to overawe Edinburgh was a futile gesture on numerous counts. It gave the impression, as had the Balmerino affair, that Charles was a tyrant who intended to rule without the counsel of his nobles. His actions appeared vindictive, because it was 'hurtfull to all the

³⁹ *RPCS*, 2nd ser., vi, 538.

⁴⁰ See Chapter Five.

⁴¹ For an interesting discussion of the possibility that Charles was never really trusted by English puritans, see C. Russell, 'The Parliamentary Career of John Pym, 1621-9' in Clark, Smith and Tyacke (eds), *English Commonwealth*, 155.

subjectes' if the session was withdrawn from the only place it could 'commodiously' be accommodated.⁴² At the same time, because Charles was not actually there to pressurise or cajole in person, his threats appeared hollow. This was especially so because the privy council's prevarication in the immediate aftermath of the riot had damaged its authority; it had proved itself incapable of independent action or of influencing the king's demands. In the short term, Edinburgh had little to fear from the removal of a body which had become politically inert.

On 18 October, town and privy council met in their respective chambers in the tolbooth to discuss the king's instructions. The riot which ensued was bigger and better organised than the one on 23 July, since so many more people had flocked to Edinburgh from all across the country in the interim. A key target was the bishop of Galloway, the town's former minister, Thomas Sydserf, who was manhandled by people who were probably once his parishioners. According to William Ker, 3rd earl of Lothian, a future Covenanter who was in Edinburgh at the time, Galloway only narrowly escaped with all his limbs still attached to his torso. Ironically, the other target was the treasurer, John Stewart, 1st earl of Traquair, whose clever tactic of absenting himself from the town when the Prayer Book was actually read, did not prevent him from being almost 'trodne under foote' by the angry mob. Hay, accompanied by the bailies, ventured out of the council house in a vain attempt to persuade the crowd to disperse. Although competition for Edinburgh's least popular inhabitant was stiff that day, Hay was certainly in contention. John Leslie, 6th earl of Rothes, claimed that Hay had been double-dealing, promising the people that the Book would be withdrawn while plotting with privy councillors and 'other special men in the toun' to have it imposed. When he attempted to return to his own house after the council meeting, the people he governed swarmed around him, calling him 'traitor' and apparently threatening his life. That night, Hay retreated to Leith, 'curseing the Toune of Edinburgh' and vowing never to return.⁴³

The active participation of the 'best of the citty' is probably beyond doubt. Rothes reported that Traquair thought town coun-

⁴² Gordon, *Scots Affairs*, i, 20.

⁴³ *Ancram and Lothian*, i, 94–7. Gordon, *Scots Affairs*, i, 21–4. NLS, Wod.Qu.IX, ff.419–421. Inglis, 'Sir John Hay', 124, 131, 141. Leslie, *Relation*, 13–14, 20–21.

cillors were 'more mutinous then any'.⁴⁴ Gordon of Rothiemay claimed that while the political elite had universally condemned the 23 July riot, they were 'the authors of, and actors in' this second, 'mor dangereuse uprore'. Apparently 'non had been more troublesome than two baillies', who had signed the letters to Laud in August and September. James Cochrane, John Smith and Charles Hamilton had all put their names to those documents, although the absence of their colleague, Andrew Ainslie, hints at divisions amongst the magistrates. Smith and Cochrane went on to become prominent town councillors and members of the Covenanting regime, so it would be reasonable to speculate that these two men were the bailies referred to by Gordon.⁴⁵ Along with two very prominent former councillors, John McNacht and Gilbert Acheson, and another burgess, David Johnstone, these men appear to have been instrumental in getting the rest of the council to petition the king for 'dischairgeing the service book', restoring the 'common prayers', reinstating the two banned ministers, Henry Rollock and Andrew Ramsay, and recalling the privy council and court of session.⁴⁶ Not that the councillors needed much persuading. Some members of the crowd 'vowed to kill all within the house unlesse they presently subsigned a paper presented to them'. It is little wonder that 'for feare of ther lyves', they decided to do just that.⁴⁷

Edinburgh Joins the Supplicants

After the riot of 18 October, Edinburgh rapidly slipped from the king's grasp. With the provost reluctant to show himself in the council

⁴⁴ Leslie, *Relation*, 22.

⁴⁵ Hamilton was elected one more time, in 1638, as water bailie of Leith. *Edin Recs 1626-41*, 209. Gordon, *Scots Affairs*, i, 20-25 [quotation, 25]. [Balcanquhal], *Large Declaration*, 28, 38. The first letter to Laud in August was signed by all four bailies of Edinburgh, but in September, Andrew Ainslie's signature had been replaced by Roughhead's.

⁴⁶ *Edin Recs 1626-41*, 197. Stevenson, *Scottish Revolution*, 72-4. Stevenson claims that about 36 burghs were represented on this document, but an anonymous journal mentions only 22. NLS, Wod.Qu.IX, ff.421v-422r. Leslie, *Relation*, 14. David Johnstone was a water bailie of Leith in 1614, but beyond that, it is not clear who he was. He may be the same man who became a burgess and guild brother through his wife in 1594. Was he perhaps related to the influential nonconforming Johnstones, of whom Wariston was one? *Edinburgh Burgess Roll*, 275.

⁴⁷ Gordon, *Scots Affairs*, i, 22. Guthry, *Memoirs*, 29.

chamber,⁴⁸ the bailies were now in control of the town.⁴⁹ The privy council had obeyed the king's command and sat impotently at Linlithgow, where they could do nothing to prevent the capital being occupied by the supplicants. On 15 November, the movement took a decisive step towards becoming a rival regime by instituting itself into four separate Tables, made up of the nobility, gentry, burgesses and ministers, with representatives from each committee sitting on the fifth executive Table.⁵⁰ Was Edinburgh at the point of no return? Reference to the concluding of the bargain of Broughton 'with his Majestie and the erle of Roxburgh' on 6 September 1637, or the order to lift the king's tax on 13 October,⁵¹ indicates an expectation that present difficulties would be resolved and things would soon return to normal. By deciding to join the supplicants, however, Edinburgh had committed itself to a movement which was rapidly moving beyond a mere rejection of the Prayer Book. By February 1638, key activists were openly demanding that the bishops 'purge themselves' in 'lawfull tryall' of their crimes against church and government.⁵²

Not everyone in the capital thought that the signing of the supplication was an irreversible step. Edinburgh's historic dependency on royal favour made its position precarious,⁵³ and there were people willing to exploit fear of the king's wrath. A disgruntled Traquair told Rothes on 14 November that royal vengeance was highly likely, which may have prompted nervous burgesses to attend a meeting where 'heartie prayers for his Majestie' were a prominent feature of the day's proceedings. At around the same time, the town's com-

⁴⁸ Hay remained in Scotland, and appeared on the privy council where he managed to make a nuisance of himself also. He went to York in March 1639 and thereafter was an active participant in the royalist campaigns, resulting in his capture at Philiphaugh. Having allegedly bought his freedom, Hay retired to Galloway where he 'lurked' until his death in 1654. J. Scot, *The Staggering State of Scottish Statesmen from 1550 to 1650* (Grampian Club, 1872), 101. Inglis, 'Sir John Hay', 140. *CSPD 1638-9*, 628. Guthrie, *Memoirs*, 32. NAS, Letter, 10 Dec 1637, GD112/39/64/15.

⁴⁹ Hay does not appear again in council. ECA, SL1/15.

⁵⁰ The movement did not officially use the term 'Tables' until the spring of 1638, and would not mutate into the committee of estates until 1639. Stevenson, *Scottish Revolution*, 79. Macinnes, *Making of the Covenanted Movement*, 166-68. *RPCS*, 2nd ser., vi, vii-viii.

⁵¹ ECA, SL1/15, ff.22, 35.

⁵² Stevenson, *Scottish Revolution*, 73, 78. Wariston, *Diary*, 270. [Balcanquhall], *Large Declaration*, 51.

⁵³ Makey, *Church of the Covenant*, 153.

missioners for the supplication of the king, James Cochrane, John Smith and the tailor, Thomas Paterson, requested a meeting of their colleagues to decide what their role now entailed. With unease growing amongst councillors over the likely repercussions of 18 October, Hay saw his opportunity. He attended a meeting in Edinburgh where he 'dealt exceeding earnestlie with some of the Toun's men' to separate themselves from 'the nobilitie', and attempted to dissuade councillors from convening to discuss what their commissioners should do next. It was all to no avail, but it is telling that Hay was supported by the venerable dean of guild, Sir John Sinclair, one of the council's most experienced men with a political career dating back to 1610. In the end, only 'sex voyces' sounded against continued representation on the Tables, and on 27 November, the commissioners were commended by the town council for their 'paynes' in keeping the town 'in peace and quyetnes and in dew obedience to his Majesty'.⁵⁴

Hay, however, was not going to give up. He was well aware of Edinburgh's fear that if the nobles were given the right set of concessions, the town might become the movement's scapegoat. No doubt royalists were purposely putting about such rumours. Councillors wanted to be convinced that seeking the king's clemency early was not the best course of action and, to this end, Archibald Johnstone of Wariston was recruited by the supplicants around the middle of November to prepare a defence of the capital's position. Other legal figures joined him at the beginning of December. This activity reflected heightened tensions in the wake of rumours that Charles's honour could be satisfied only by the sight of Edinburgh's commissioners prostrating themselves before him. Hopes that this unpalatable prospect might be used to break the unity of the town council prompted Hay to risk a rare appearance at a meeting on 29 December. As the stack of petitions on the privy council table grew ever higher, Hay attempted once more to convince the town council to draft a separate document. Hay's proposal posed a serious political threat to Cochrane, Smith and Paterson, who had persuaded their colleagues that they would be protected from the king's anger. To counter the damaging rumours, the three men asked the leading supplicants to meet them and confirm 'their constant promised unione with the

⁵⁴ Leslie, *Relation*, 29, 31, 32, 33.

Toun'. Also in attendance were William Dick, William Gray and John Sinclair. The presence of Sinclair indicates that the supplicants were hoping to make a convert of an influential councillor who had expressed doubts on a previous occasion. Their arguments must have worked. In council that day, Hay claimed that key privy councillors had been given a commission to proceed against the burgh, but he was unable to prevail with his colleagues. When it was put to the vote, there was apparently not a single person 'to second the Provost'.⁵⁵

It is into this context that the idea of the National Covenant needs to be placed. If it can be described as an attempt to 'broaden support' in the light of the 'inadequacies' of an 'elitist campaign', there does still seem to be more to say.⁵⁶ The point about the Covenant was that support for a campaign against the Prayer Book, and probably the Five Articles too, already existed, across all social levels. By instigating a subscription campaign, that support was harnessed, and ideally broadened, by the community's natural leaders, who also reclaimed the organisational impetus from an unofficial network of ministers, kirk session members and burgesses' wives.⁵⁷ Resistance to royal policy after 1617 had failed in part, but this was not through the inadequacy of a campaign which was demonstrably anything but 'elitist' in its composition.⁵⁸ The normal channels of dissent were customarily controlled by the landed elite, through petitions to the privy council, through pre-parliamentary meetings and through private discussions with the monarch. They had all been closed down by a ruler who was also removed from political discourse in the kingdom. In 1634, Lord Balmerino had been imprisoned, tried, and had narrowly escaped execution for handling a petition he had not drafted. That would put anybody off the idea of protesting, yet there was Balmerino, undeterred, allegedly coordinating resistance to the Book in April 1637.⁵⁹

⁵⁵ Gray was John Smith's brother-in-law, Chapter Three. Leslie, *Relation*, 52–3. Wariston, *Diary*, 273, 279, 282, 289.

⁵⁶ Steele, 'The "Politick Christian"', 37. This argument belies the social complexity of nonconformity, and ignores the campaign's roots in the Perth Articles debate.

⁵⁷ Stevenson, *Scottish Revolution*, 57. Stevenson, 'Conventicles in the Kirk', 99–114. Lee, *Road to Revolution*, 223.

⁵⁸ Resistance had prevented the imposition of the Prayer Book, with the canons, in 1617. James concentrated on consolidating the Perth Articles, but Charles clearly intended to advance this agenda. Donaldson, *Scottish Prayer Book*, 32–9. See Chapter Five for nonconformity in Edinburgh.

⁵⁹ Guthry, *Memoirs*, 22.

On 23 February Archibald Johnstone of Wariston, who had already been in consultation with leading town councillors regarding Edinburgh's legal position, agreed to take on the 'insupportable burden' of drawing up the National Covenant.⁶⁰ During the five days Wariston took to produce this document, intense efforts were made to ensure that it would be well-received. Fears that the Covenant would be regarded as a step too far were not unfounded, as the reports of some opposition 'amongst the ministrie and barons, and from the great grandies of the law[y]ers' indicated. That notorious nonconformist and former provost, William Nisbet, was also supposed to have resisted taking the Covenant. As Nisbet lay on his deathbed, anticipating the moment when he would be called to account by the highest judge, the old troublemaker may have thought that actively opposing even the worst of kings was not condoned by God. If this was Nisbet's thinking, it may have been shared by another old nonconformist, Sir George Erskine of Innerteil. The position adopted by these men partially unveils the complexity of individual responses to the Covenant, even amongst those who might have been expected to support its aims. Banding against their king (which is what had been done, however it was dressed up) was a huge political gamble for the Covenanters. Many people, regardless of former political or religious affiliations, might be persuaded that the action was a legally and morally questionable one.⁶¹

There was another, more immediate, concern, especially for the elite—was all this rioting really an attempt to overturn the social hierarchy? Another tumult may have occurred on 19 February, only nine days before the Covenant was publicly aired. It followed the king's proclamation affirming his direct involvement in producing the Prayer Book and discharging all 'meetings and convocations' for the purpose of petitioning against it. If Gordon of Rothiemay did not exaggerate in his account, the incident would show that Edinburgh's swollen population could all too easily be stirred into violence. Royal proclamations were customarily a solemn affair, but this time there was 'jeiring and laughing' amongst the 'unmannerly sorte' in the

⁶⁰ The lower levels of the legal profession was seen as a bastion of nonconformity. Wariston, *Diary*, pp. xi–xii, 295, 307–8. Gordon, *Scots Affairs*, i, 20. Baillie, i, 37, 41. Leslie, *Relation*, 43.

⁶¹ Stevenson, *Scottish Revolution*, 86. [Balcanquhal], *Large Declaration*, 403–4. For Innerteil, see Chapter Five.

crowd. Worse still, some of them appear to have taken the proclamation as an excuse for another riot. Bishop Sydserf of Galloway, who, remarkably, was still resident in the town, along with the archbishop of St Andrews and the bishop of Brechin, had their lodgings surrounded by insurgents who wanted 'to hange them upp instantlye'.⁶² Rothes broke up the demonstration by telling them 'that if they tooke the lyfe of any of the Bishops' all the nobility of Scotland, himself included, would personally take them to the King 'with ropes about ther neckes'.⁶³ Robert Baillie had already made anxious allusions to the St Bartholomew's Day massacres;⁶⁴ he was undoubtedly not the only one to conjure the spectre of social upheaval.

The details of the subscription of the Covenant have been well-rehearsed, but its significance for the town of Edinburgh is worth revisiting. It is arguable that, with the signing of that document, which was conducted with strict observance of the proper social hierarchy, the nobility really took control of the movement. Many of the Scottish landed elite had hitherto been cautious in their association with the supplication campaign. The leading supplicants naturally distanced themselves from allegations that the nobility had organised the tumults (and Rothes had acted personally to prevent bloodshed), but if the supplication campaign was to have any credibility it would have to gain the support of local elites.⁶⁵ For Edinburgh's town councillors, the move towards an organised provisional government was a positive one. Their inability to control the capital's inflated population, the probability that some members of the political elite had been involved in the riots and the intrusion of the multitudes into their private proceedings was a serious threat to order, stability and unity in the town. It was also an assault on the dignity of burgh government, which ultimately undermined its authority.⁶⁶

⁶² The incident is not recorded in a contemporary journal, which was possibly written by an Edinburgh inhabitant, and bears similarities with Calderwood. Gordon, *Scots Affairs*, i, 33–4. [Balcanquhal], *Large Declaration*, 47, records 'jeering and laughing' but not a violent altercation. NLS, Wod.Qu.IX, f.430. *RPCS*, 2nd ser., vii, 3–4.

⁶³ Leslie, *Relation*, 34. The three bishops attended a privy council meeting in Stirling on 20 February, *RPCS*, 2nd ser., vii, 5.

⁶⁴ They occurred in France in August 1572. Baillie, i, 23. Balfour, *Annals*, ii, 257.

⁶⁵ Stevenson, *Scottish Revolution*, 79–84. Wariston, *Diary*, 331. Baillie, i, 62. Leslie, *Relation*, 15, 19, 41–2. *Ancram and Lothian*, i, 96. Gordon, *Scots Affairs*, i, 34. John Spalding claimed otherwise. Spalding, *Memorials*, 79.

⁶⁶ Patterson, 'Conflict Resolution and Patronage', 1. Archer, 'Politics and Government' in Clark (ed.), *Cambridge Urban History*, i, 247. Lynch, *Edinburgh*, 3–4, 49.

An indecisive, faction-ridden privy council dominated by ecclesiastical figures compounded the town council's problems, making it difficult for the lesser body to take resolute action. It is telling that on 18 October and again on 19 February, it was not privy councillors who intervened to save the bishops, but leading members of the supplication campaign who knew that bloodshed would only alienate the moderates.⁶⁷ The fact that, on 19 February, Rothes was able to break up the hordes baying for bishops' blood indicated where moral authority now lay in Edinburgh, and the town council were pragmatic enough to recognise this. Regardless of where personal loyalties might lie, the reality was that the supplicants could control the crowd.

Whatever the practicalities of the situation, there was undoubtedly a huge outpouring of zeal for the Covenant in Edinburgh. Witnessing the multitudes flocking to the churches on 28 February and 1 March to add their names, some allegedly drawing 'ther owne blood' in place of ink,⁶⁸ both Traquair and Spottiswoode decided that the Prayer Book was finished.⁶⁹ Spottiswoode was in Edinburgh as the Covenant was being signed, which probably prompted him to write what was effectively a resignation letter to the council on 1 March. The one remaining bishop, Walter Whitford of Brechin, must have had an uncomfortable time at council meetings thereafter and chose to withdraw himself two days later. With the bishops out of the way, the privy council set about trying to restore some of its authority. That week, instructions were drawn up for John Hamilton of Orbiston, justice clerk, who was told to go to Court and impress on Charles that nothing short of the complete withdrawal of the Book would pacify his kingdom.⁷⁰

The town council were still treading carefully. It was at Wariston's behest that the council met on 24 March to ratify the proceedings of their commissioners, Cochrane, Smith and Paterson. In keeping with the spirit of the Covenant, the town council's act claimed that

⁶⁷ J. Scally, 'Counsel in Crisis: James, 3rd Marquis of Hamilton and the Bishops' Wars 1638–40' in Young (ed.), *Celtic Dimensions*, 27. *Ancrum and Lothian*, i, 96. Gordon, *Scots Affairs*, 34. Rothes does not mention the incident. Leslie, *Relation*.

⁶⁸ Gordon, *Scots Affairs*, 45. Wariston, *Diary*, 322.

⁶⁹ Stevenson, *Scottish Revolution*, 86–7.

⁷⁰ *RPCS*, 2nd ser, vii, 7–11. The archbishop of St Andrews' letter appears to have been instrumental in convincing the privy council to adopt this attitude. *RPCS*, 2nd ser., vii, 7.

all their actions had been carried out 'in ane legall way' for the glory of God and the 'honour of the king's Majestie thair dread soverayne'. The council also specified, in a reference to the 1580 Confession of Faith, that they were 'renewing' the Covenant. This act was clearly carefully worded, as the Covenant had been, in order to reassure moderates about the intentions of the supplicants, but on this occasion the council appear to have been preaching to the converted. Curiously, only thirty-one neighbours met with the magistrates and town council that day, in contrast to the 388 individuals who gathered to denounce the Engagement a decade later. It is not clear what can be inferred from the small numbers present, or the fact that it was nearly a month after the first signing of the Covenant before the town council officially mentioned it.⁷¹ All the neighbours present were former councillors. Some of those present, namely John Fleming, David Jenkin, Edward Edgar, Robert Meiklejohn, Peter Blackburn and Richard Maxwell, were prominent either as councillors during the 1640s, or as active participants in the Covenanting regime.⁷² Was the Covenant so popular that a show of solidarity was needless? As the burgeoning regime was not hostile to the council, in the way that the radical faction of September 1648 would be, there was nothing to prove to higher powers. This suggests that the meeting was either a mere formality to satisfy the anxieties of the commissioners, and Wariston's legal mind, or a gathering of the faithful to plan future policy. The absence of three key figures of the 1640s, John Jossie, John Binnie and John Pearson, is surprising,⁷³ but it is possible that as none of them were sitting councillors they were busy with other business.

⁷¹ *Edin Recs 1626–41*, 201. Wariston, *Diary*, 322, 329. Wariston stated that the burgh commissioners signed on 1 March, and the people of Edinburgh on 2 March. The commissioners signed officially for the burgh but it is likely that individual councillors also added their names the next day. *Scottish Historical Documents*, ed. G. Donaldson (new edn., Glasgow, 1997), 191–94. Copies then circulated in Edinburgh. A copy signed by the skinnners on the curiously late date of 18 August was headed by the usual nobles and gentry, followed by Cochrane, Smith and Paterson in their capacity as Edinburgh's commissioners. Several ministers' names came next, with Ramsay and Rollock first. ECA, Accession 617, Covenant signed by the Skinnners of Edinburgh, 18 August 1638.

⁷² ECA, SL1/15, f.50.

⁷³ Jossie was prominent on the finance committees of the Covenanting regime. Binnie also served the regime and, like Pearson, sat on the town council for most of the 1640s. See Chapter Nine. Young, *Scottish Parliament*, 53, 56, 59, 205, 210.

Covenanted Edinburgh

The mood in Edinburgh appears to have been one of fevered excitement during the summer of 1638, when the Covenanters began serious efforts to secure the acceptance of their agenda through a legally sanctioned parliament and general assembly. Anecdotal evidence implies that by this time, anyone who objected to the Covenant had fled the capital and its menacing atmosphere.⁷⁴ Members of the episcopate were largely confined to their homes after the October riot, although a reference to the archbishop of St Andrews reading prayers unmolested in the capital in November 1637 shows that ill-will against the bishops was by no means universal.⁷⁵ It also suggests that the episcopate were not going to allow their estate to be overthrown without a fight. Spottiswoode's withdrawal to London shortly after 1 March, lamenting that all his efforts over the past thirty years had been 'thrown down at once', was not intended to be a permanent removal, as he was in back in Scotland before the Glasgow general assembly.⁷⁶ The former minister of Edinburgh, John Maxwell, bishop of Ross, probably went with him and they were joined by Bishop Sydserf on 7 April, ostensibly to enlist support at Court.⁷⁷ Gordon of Rothiemay claimed that people who (bravely or foolishly) remained in the town without subscribing the Covenant were 'threatned and beatne', but the normal course for ministers seems to have been deprivation.⁷⁸ Edinburgh's first casualty was Mr Robert Rankin, a professor at the town's college, on 24 August. His colleague, Mr John Brown, lost his post twelve days later. Although it was the town council who held the patronage of the college, it seems more likely that the two men were forced out by their more zealous brethren;⁷⁹ there had been disputes over appointments to the college in the

⁷⁴ Gordon, *Scots Affairs*, i, 45–6.

⁷⁵ NAS, Letter, 29 Nov 1637, GD112/39/64/11. The bishop of Brechin had tried to read the Prayer Book in his diocese but had been resisted.

⁷⁶ Guthry, *Memoirs*, 35.

⁷⁷ Laud, *Works*, iii, 547. NLS, Wod.Qu.IX, 433r. Hamilton advised Ross and Brechin against attempting to return in June, but Spottiswoode and Lindsay were back in Edinburgh by August. NAS, 17 Aug 1638, GD406/1/630, petition of the bishops, GD406/1/661 and Hamilton to the bishops of Brechin and Ross, 26 Jun 1638, GD406/1/699.

⁷⁸ Gordon, *Scots Affairs*, i, 45. This was happening elsewhere, NAS, bishop of Edinburgh to Hamilton, 19 Nov 1638, GD/406/1/660.

⁷⁹ *Edin Recs 1626–41*, 207. *Baillie*, 110–11.

1620s, when the Crown had been keen to plant conformist regents there.

A vivid demonstration of Edinburgh's loyalty to the Covenant was staged on 10 June when the king's commissioner, James, 3rd marquis of Hamilton, arrived in Scotland. It was estimated that 20,000 people lined the mile-long road from Leith Links to the Watergate, in Canongate, where the magistrates of Edinburgh waited for Hamilton's arrival.⁸⁰ He found the town bursting at the seams with people 'all in armes', who had 'stopped' their ears to all his attempts to dissolve them. In contrast, as Hamilton told Laud, his efforts to summon his own supporters, and even his own tenants, were thwarted by Covenanting shire commissioners who advised them to remain at home.⁸¹ Two days previously, the town council had written to Hamilton's Dalkeith residence to ask if they could attend him at Holyroodhouse, whereupon the commissioner pointedly replied that he was willing to do so, if the council showed themselves to be 'masters and governors of there ain toun and wald behave themselves as good subjects'.⁸² The event was a powerful expression of popular approbation for the Covenant which may have been entirely peaceable, but was still clearly intended to intimidate. Such a self-conscious display also reveals Covenanting insecurity about how long their unity might last once the king mounted a serious challenge to the new order in Edinburgh. At the end of May, rumours that Dalkeith was being fortified for the royalists prompted fears that the capital's own stronghold could be used against the town. To this end, the Covenanters asked the council to take measures against such a possibility, and a watch was established. A special guard was placed on the castle when Hamilton arrived to prevent him providing it with supplies, although at this early stage the Covenanters were reluctant to take the provocative step of ousting its small, demoralised garrison.⁸³

⁸⁰ Leslie calls it the Canongate Port; the Netherbow was the entrance from Canongate into Edinburgh. Leslie, *Relation*, 115. Guthry, *Memoirs*, 37. H. Arnot, *The History of Edinburgh* (Edinburgh, 1779), 114.

⁸¹ NAS, Hamilton to Laud, 4 and 7 Jun 1638, GD406/1/552, 553.

⁸² HMC, *Duke of Hamilton Manuscripts, Supplementary Report*, ed. J.H. McMaster and M. Wood (London, 1932), 46–7.

⁸³ Scally, 'Counsel in Crisis', 28–9. Stevenson, *Scottish Revolution*, 94. Leslie, *Relation*, 115, 131. *Edin Recs 1626–41*, 203.

The difficulty for the Covenanters, having established control of the capital, was maintaining support. There was a danger that while they worked for a parliament and general assembly, the popular element might grow tired of waiting and take matters into their own hands—this had been narrowly avoided on 19 February, and again on 4 July, when news of a royal proclamation resulted in ‘multitudes of people’ filling the streets, ‘with ther swordes pulled out of ther beltes’ and with ‘syd pistolls’ displayed.⁸⁴ The return of the privy council and session the previous day, and the announcement that the Canons and Prayer Book would be withdrawn, prevented violence on that occasion, but the Covenanters needed to show that they could deliver on their promises within an acceptable timeframe. Four days later, the desired general assembly and parliament were allowed by the king; presumably because Charles was buying time to prepare a military force, he did not object to the conventions being held in Glasgow and Edinburgh respectively.⁸⁵ The popular mood remained volatile during the autumn; in October, the non-Covenanting Aberdeen minister Mr William Ogston was ‘manhandled’ by a group of Edinburgh women.⁸⁶

Preparations for the coming general assembly, which sat in Glasgow on 21 November, focussed on anti-episcopal propaganda—‘Spotiswood, full of Spots indeid!’ was one of the kinder insults⁸⁷—and on asserting lay dominance of the agenda through manipulation of the appointment of commissioners. This was effected by essentially sending the representatives of the Tables, who had convened in Edinburgh in advance, to the general assembly.⁸⁸ During this time, Edinburgh and its presbytery acted as a vital spiritual and disciplinary guide for the rest of the country. The ‘heavenly harmony’ expressed through the celebration of ‘pure’ communions in Edinburgh for the first time in twenty years⁸⁹ did not mask the bullying of those whose consciences

⁸⁴ Gordon, *Scots Affairs*, i, 75.

⁸⁵ Stevenson, *Scottish Revolution*, 95. Scally, ‘Counsel in Crisis’, 24, 28.

⁸⁶ *Baillie*, i, 76.

⁸⁷ NLS, A Caveat for Scotland, Ms.1939, f.28. This is only one example from the collection.

⁸⁸ Stevenson, *Scottish Revolution*, 104, 106–8, 114, 127. Gordon, *Scots Affairs*, i, 100, 118, 120, 133–34, 187. Wariston, *Diary*, 381, 384. *Baillie*, i, 100. [Balcanquhal], *Large Declaration*, 115, 188–92.

⁸⁹ Wariston, *Diary*, 330–31, 334. NLS, Wod.Qu.IX, 433r.

were troubled by the Covenant. From February onwards, presbyteries had begun to depose ministers, withdraw their stipends and appoint new clergymen without consultation with the bishops. In Edinburgh, the presbytery was having some difficulty ousting the non-Covenanting minister, David Mitchell, from his pulpit. Despite the support of the marquis of Hamilton in his bid to have the case heard by the imminent assembly, Mitchell was physically shut out of his own church and then formally discharged. A similar course was taken with his colleagues, Alexander Thomson, James Elliot and David Fletcher, whose efforts to continue in their calling were subsequently thwarted.⁹⁰ This must have been exacerbated by the preaching of the Covenanting ministers Andrew Ramsay and Henry Rollock, whose reputations as supporters of the bishops perhaps made them all the more keen to express their loyalty. The pulpits of Edinburgh 'did ring with bitter invectives' during September, as the two ministers sought, successfully, to dissuade people from subscribing the king's version of the 1580 Confession of Faith. Rollock's sermons in particular were extremely popular; on at least one occasion it was impossible to get everyone into Greyfriars' church and the service was held in the kirkyard instead.⁹¹

Not everyone was happy with the authoritarian role that Edinburgh presbytery and its ministers had taken upon themselves. Objections were raised when the Tables gave in a petition to the presbytery on 24 October 1638, requesting them to begin proceedings against the bishops. Appended to it was an act of the presbytery, endorsing the citation of the bishops and ordering the publication of the charges against them from all the pulpits within their jurisdiction. It was alleged that the town council, at Hamilton's request, asked the ministers not to make the charges public, yet the petition had been signed for the burgess estate by two of the town's councillors, John Smith and Richard Maxwell, with John Hamilton, who may have been the nonconformist prosecuted in the 1620s. Of the other four burgesses who signed it, another two, John Milne and Laurence

⁹⁰ Gordon, *Scots Affairs*, i, 124–25; ii, 50, 163, 169. Wariston, *Diary*, 367. [Balcanquhal], *Large Declaration*, 116, 205–6. NAS, John Spottiswoode to Hamilton, 9 Aug 1638, GD401/1/677.

⁹¹ Mullan, *Scottish Puritanism*, 76, 82–3. Wariston, *Diary*, 381. [Balcanquhal], *Large Declaration*, 183–86 [quotation, 183].

Henderson, were also from Edinburgh. Once the assembly had convened, 'up strode James Cochrane and Thomas Paterson', the town's representatives, to demand a commission in Edinburgh to proceed with the work of the assembly after its dissolution. This primarily involved depriving recalcitrant ministers. It appears to have been the presbytery by another name, justifying Gordon's sardonic comment that 'as the Presbytrye of Edinburgh pyped, so the rest of the Presbytries daunced'.⁹²

Unfortunately, the absence of the Edinburgh presbytery records means that it is not possible to find out which of the town's burgesses were attending these proceedings and, as a consequence, the part played by leading lay Covenanters from the burgh remains rather shadowy. On 3 October, with John Rind voting in place of the provost, John Hay, a new council was elected. As Guthry pointed out in rather unflattering terms, it was William Dick's vast financial resources which made him such an obviously attractive candidate as Hay's replacement, and there were great hopes of his selection amongst the Covenanting faithful.⁹³ Dick had other political advantages to recommend him which were no less important. He was already an experienced councillor (unlike James Stewart, who became provost a decade later) and he had solid nonconforming credentials, although they had not compromised his political career, as had happened in the case of William Nisbet.⁹⁴ Like the new provost, the rest of the council did not reflect any radical departures from the councils of the 1620s and 1630s. While John Smith, James Cochrane and Edward Edgar were radicals, they were not new to burgh government and were balanced by the presence of notable conservatives, such as John Sinclair, John Trotter and James Roughead.⁹⁵ It is no surprise that none of the latter were sent to the general assembly.

⁹² Mullan, *Episcopacy in Scotland*, 188. Gordon, *Scots Affairs*, i, 129. Wariston, *Diary*, 396, 404. Balfour, *Works*, ii, 298–99, 307. Spalding, *Memorialls*, 116. [Balcanquhal], *Large Declaration*, pp. 219–20, 225. NAS, The bishops and ministers to Hamilton [autumn 1638], GD406/1/405 and Traquair to Hamilton, 10 Jan 1639, GD406/1/996.

⁹³ NAS, 1 Oct 1638, GD112/39/67/14.

⁹⁴ Nisbet had died in 1639. See Chapter Three.

⁹⁵ Sinclair had expressed doubts in the early stages of the Prayer Book campaign. Trotter and Roughead had given money for new communion plate which carried an image of Christ kneeling. See Chapter Two. *Edin Recs 1626–41*, 208–9. Guthry, 55.

Cochrane and Paterson, who had already proved their worth as commissioners to the Tables, were elected on 13 October 'with full powar and commissioun . . . to treat reassone voite and conclud in all maters'.⁹⁶ Likewise, when parliament met on 15 May, John Smith and Richard Maxwell, who had also been early participants in the supplication campaign, acted as the town's representatives.⁹⁷ The fact that Edinburgh's political elite were now reliable supporters of the Covenanting regime not only ensured that the capital was a secure home for the new government, but also encouraged other burghs to be equally loyal.

Preparations for War

In the aftermath of a general assembly which abjured not only the Prayer Book, but also the Perth Articles and episcopacy, the burgh turned to more practical considerations. Although Baillie noted with satisfaction that Edinburgh 'continues constant',⁹⁸ the capital's position was more precarious than ever. Apart from the affronts to royal authority, Charles was aware that events in Scotland threatened to incite those Englishmen who were 'Scotized in all their Practises' to agitate for change in the Anglican church.⁹⁹ By the spring of 1638, reports were reaching London that the Covenanters were quietly acquiring muskets and powder. In response, royalist nobles such as William, 1st marquis of Douglas, James Hamilton, 2nd earl of Abercorn and Francis, 6th Lord Sempill, were allegedly arming.¹⁰⁰ It must have been apparent to all that in the event of war, the king's primary aim would be the occupation of Edinburgh and its castle.¹⁰¹ With that in mind, Edinburgh began making its own preparations during the summer of 1638, by stockpiling weapons, setting up an armoury and building up the fortifications at Leith.¹⁰²

⁹⁶ *Edin Recs 1626–41*, 209.

⁹⁷ *Edin Recs 1626–41*, 261–17.

⁹⁸ *Baillie*, i, 64.

⁹⁹ Russell, *English Civil War*, 35, 49, 111. P Heylyn, *Cyprianus Anglicus or The History of the Life and Death of William Laud* (London, 1668), 328.

¹⁰⁰ Donald, *Uncounselled King*, 67–8. *Baillie*, i, 65.

¹⁰¹ M. Fissel, *The Bishops' Wars: Charles I's campaigns against Scotland 1638–40* (Cambridge, 1994), 5–6.

¹⁰² *Edin Recs 1626–41*, 204, 205, 206.

The importance of Edinburgh to the Covenanting regime became apparent during 1639 and 1640, when the capital's merchants used their extensive commercial contacts to provide Scotland with the means to defend itself against Charles's armies. This enabled the Covenanting regime to mobilise and equip a relatively poor country which had not seen serious warfare on its own soil for seventy years (and even David Calderwood was not old enough to remember that). Edinburgh's links with the Scottish staple at Campvere in Holland were particularly vital. Two merchants, James Ellis and James Weir, were able to use the security provided by their Edinburgh friends in order to purchase armaments and other supplies on credit. Goods were also coming in from Scandinavia. General Alexander Leslie's links with Sweden paid off in November 1638, when ships laden with military supplies docked at Leith. Despite the fact that Charles I was Christian IV of Denmark-Norway's nephew, Scottish ships were still travelling virtually unimpeded through his waters from the Baltic. Although the number of ships reaching Leith in 1638–39 was less than half that of the previous year, it is telling that twenty-six ships came from Norwegian ports—five more than Campvere.¹⁰³

These same mercantile channels could also be used to acquire and disseminate information. Scottish propaganda was certainly being smuggled into England via the Low Countries by at least the early months of 1638, which the English government was aware of, but struggled to counteract.¹⁰⁴ Their attempts to do so throw up some

¹⁰³ S. Murdoch, 'Scotland, Scandinavia and the Bishops' Wars, 1638–40' in A.I. Macinnes and J. Ohlmeyer (eds), *The Stuart Kingdoms in the 17th Century* (Dublin, 2002), 114–120. Swedish assistance was aided by the personal friendship between Alexander Leslie and Chancellor Axel Oxenstierna, while Scottish merchants were influential in Denmark-Norway, S. Murdoch, *Britain, Denmark-Norway and the House of Stuart, 1603–1660* (East Linton, 2000), 91, 93, 96, 101, 106. A. Grosjean, *An Unofficial Alliance: Scotland and Sweden 1569–1654* (Brill, Leiden, 2003), 170–71. E.M. Furgol, 'Scotland Turned Sweden: The Scottish Covenanters and the Military Revolution, 1638–51', in Morrill (ed.), *Scottish National Covenant*, 134–48. For Campvere, see *The Journal of Thomas Cunningham of Campvere*, ed. E.J. Courthope (SHS, 1928) and NAS, Miscellaneous Parliamentary Papers, Hepburn of Keith Marischal, PA16/1/1/3. See also NAS, Hamilton papers, GD406/1/967. Analysis of the accounts and letters of the Paris factor John Clerk shows that Edinburgh merchants had links with Paris, Bordeaux, La Rochelle, Dieppe and, notably, London in the 1630s. NAS, Clerk of Penicuik Papers, GD18/2367 and 2368. ECA, Accounts for Building and Repairing of Churches, 1635–47. For shipping, see ECA, Merk of the tun compts, Accounts of the Building and Repair of Churches, 1635–47, Accounts 1637–38 and 1638–39.

¹⁰⁴ *CSPD 1637–38*, 358, 564.

revealing examples of Edinburgh merchants actively using English contacts to acquire information. John Fleming was elected to the town council in 1638, where he sat for four years, and was possibly the same man who had been prosecuted for nonconformity in the 1620s. In the summer of 1638, the English government intercepted an intelligence addressed to Fleming from an unnamed correspondent, in cipher, describing the king's military preparations.¹⁰⁵ Later, in the spring of 1640, the future provost James Stewart became involved in the machinations of the 'unscrupulous' English peer Lord Savile, who was also acquainted with Robert Baillie.¹⁰⁶ There is also a possibility that John Smith was exchanging letters with parliamentarians in 1638 and, if so, was well-placed to sit as a member of the peace negotiations which began in the autumn of 1640.¹⁰⁷ Anglo-Scottish connections worked for the royalists too, of course. In June 1638, a ship hired by the wealthy merchant Patrick Wood was found to be carrying musket and powder into the country.¹⁰⁸

Edinburgh's fidelity became all the more essential to the survival of a regime facing internal as well as external opposition. War costs a lot of money, and the only people in Scotland who could quickly raise the enormous sums required lived in the capital.¹⁰⁹ 'We wer much oblinded to the Toun of Edinburgh for moneyes' says a great deal about the relationship between the Covenanting regime and its leading burgh. In June, the provost and bailies of Edinburgh were implored to use their considerable social and political influence to

¹⁰⁵ *CSPD 1637-38*, 524-25. Robert Baillie reported on English military activity in September. *Baillie*, i, 109. Sir Henry Vane told Hamilton about military preparations in June, NAS, Hamilton Papers, GD406/1/7543. After Fleming's death, his widow, Christian Hope, loaned 1,000 merks in May 1643 for the army in Ireland. *RPCS*, 2nd ser., vii, 435.

¹⁰⁶ Savile had forged a letter from leading English parliamentarians asking the Scots to invade England in August 1640. Stevenson, *Scottish Revolution*, 188, 205-6, 213. *Coltness Collections*, 1, 14, 19, 28. His later involvement with Robert Baillie can be found in V. Pearl, 'Scotch 5th Columnists' in A.E.J. Hollaender and W. Kellaway (eds), *London History* (London and Edinburgh, 1969), 317-20.

¹⁰⁷ *CSPD 1637-38*, 529-30. BL, Minutes of the Council at York, Harl.Ms.457, ff.1-2.

¹⁰⁸ On the whole, the royalists do not seem to have been nearly as adept at exploiting such links as the English parliamentarians. Brown, 'Edinburgh Merchant Elite', 397-98. Leslie, *Relation*, 133.

¹⁰⁹ Charles I's military problems in 1639 and in 1640 were greatly exacerbated by the slowness with which his revenues came in to the exchequer and were recycled to the ordnance office. Fissel, *Bishops' Wars*, 94, 106-10, 111-19.

extract gold and silver from their friends, which was then 'struck into money'. Edinburgh's tireless ministers were only too eager to assist, and in August 1639, the 'neighbours' of Edinburgh were exhorted to 'shake out their purses', which produced the tidy sum of 'ane hundreth thousand pounds'—Wariston predictably thanked God more effusively than his fellow inhabitants.¹¹⁰ During the summer of 1640, as the Scots prepared to defend themselves against Charles's second attempt at invasion, even larger sums were pledged, again, primarily from Edinburgh inhabitants. The accounts add up to at least £233,000, and while all of the money promised may not have been presented in hard currency, this is probably still a conservative estimate of the amounts involved.¹¹¹

Some particular Edinburgh names stand out, and none more prominently than William Dick's. His contribution of his silverwork alone amounted to over £63,000 in 1639. By the conclusion of the Bishops' Wars in October 1640, the former provost was the regime's biggest creditor, indebted to the value of £474,126 19s 7d.¹¹² Dick's legendary wealth was attested to by the pen of Sir Walter Scott, who maintained that 'sacks of dollars' were lowered out of Dick's windows into carts waiting to take them to the army on the Scottish borders.¹¹³ Other less famous Edinburgh merchants also gave material assistance to the Covenanting regime in these early years. John Smith's donation of £10,000 sterling (£120,000 Scots) and David Jenkin's assiduous acquisition of armaments meant that they were exempted from a proclamation offering pardons to all Scots who rejected the Covenant (as were Henry Rollock, Wariston and, not surprisingly, David Calderwood).¹¹⁴ Other Edinburgh merchants provided vital financial expertise and organisational skill. James Stewart, future provost, was busy in 1639 ensuring that the baxters were equipped to produce industrial quantities of bread for the army. John Rind was responsible for arranging the collection and distribution of victual from the rich farmlands of East Lothian. James Loch

¹¹⁰ D. Stevenson, 'Financing the Cause of the Covenants, 1638–51', *SHR*, li (1972), 94. *Baillie*, i, 213. *Wariston's Diary and Other Papers*, 55–6, 98.

¹¹¹ I am grateful to the British Academy for a postdoctoral fellowship enabling me to work on Covenanting finance. NAS, PA16/1/1/15 and 16/2/2–3.

¹¹² *Guthry*, 55. NAS, Army Accounts, 1639–40, PA15/1. Stevenson, 'Financing the cause of the Covenants', 98.

¹¹³ J. Grant, *Old and New Edinburgh* (3 vols., London, 1883), i, 222.

¹¹⁴ Stevenson, *Scottish Revolution*, 128. *CSPD 1639*, 80.

managed the money that paid the workmen to fortify that all-important gateway to the North Sea, Leith harbour.¹¹⁵

Some did not possess these resources but were still keen to show their generosity. The records pertaining to the voluntary taxation of January 1639, which was received by Smith, show that despite an order to the contrary, 115 people offered to pay sums over and above their valuation. The usual suspects were there, of course. Laurence Henderson offered £99 for 'powder he sauld', John Mein gave £16 and John Fleming gave £13 6s 8d. There were also six individuals with the note 'voluntar' against their names, which suggests that they gave a contribution even though they were not taxpayers.¹¹⁶ In a rare display of cooperation, even the lawyers agreed to do their bit 'for the commoun defence and preservatioun of the religioun and liberties of the Kingdome', by mustering their own regiment in the spring of 1639. It was just this kind of support which led the copyist of an English pamphlet to make a telling correction. In the 'Confutation of the Covenaut', there was mention of an unnamed 'Ringleader of the faction' opposed to the king, but when stating where that faction was based, the word 'Scotland' was scored out, and 'Edinburgh' written in its place.¹¹⁷

Awareness that Edinburgh would prove to be the gateway to the rest of Scotland was noted on both sides. Royal warships were sent to the Firth of Forth in October 1639 to blockade Leith, while Scottish ships were impounded wherever they could be located. Although the royalists had some success in this project, vessels continued to dodge the blockade.¹¹⁸ It soon became abundantly clear that weapons and munitions were making it into the capital in considerable quantities. At the end of November 1638, having found his ends thwarted in the general assembly, Hamilton had returned to Edinburgh where 'he fand the same not onlie in a grate sturre, bot the castell therof stronglie gaurded'. This stance was taken to its

¹¹⁵ NAS, PA15/1.

¹¹⁶ Stevenson, 'Financing the Cause', 89. ECA, Town Treasurer, vi, Account 1638–39, p. 12. ECA, Baillies' Accounts, pp. 1299–1318.

¹¹⁷ The Ringleader supposedly 'publicly preached the king to be a Papist'. Could the writer have meant Henry Rollock? BL, Alphabet of Arms, Add.Ms.267,091, ff.15–30.

¹¹⁸ In July 1639, Edinburgh petitioned the Danes to have a ship returned to its master. It had been laden with supplies for Scotland. Murdoch, *Britain, Denmark-Norway*, 99–101. Russell, *Fall of the British Monarchies*, 77. Fissel, *Bishops' Wars*, 23. *CSPD 1639*, 127–28, 139–40.

natural conclusion on 21 March, when a small force from the town's companies, led by Sir Alexander Leslie of Balgonie, took the citadel 'in halfe ane hour' without firing a single shot.¹¹⁹ The outlook was gloomy according to Sir John Coke, who was in company with those Scottish royalists, including Sir John Hay, who were attending the king at York. They had obviously given out that they would be able to build 'a great party' for Charles in Scotland, but Coke noted that as they had found 'no confidence of their stay at home', his Majesty's 'power and wisdom', rather than the machinations of private individuals, would bring the Scots to obedience.¹²⁰

The Siege of Edinburgh

As it turned out, the much-anticipated 1st Bishops' War actually turned out to be little more than a stand-off just outside Kelso in June 1639. The pacification which followed it arguably had more significance for the capital. The debates which began on 6 June and concluded in the pacification of Berwick led to a series of verbal assurances. Subsequent disagreements about the nature of those assurances appear to have collapsed the peace process. There is a distinct impression on the Scottish side that the king had exploited both the Covenanters' genuine desire to reach a settlement and their worry about royalist activity in the north-east.¹²¹ Some of these promises related to the relinquishing of Edinburgh Castle and the fortifications at Leith, which the Covenanters agreed to hand over to the king.

General disgust at what Edinburgh's inhabitants regarded as a sell-out quickly manifested itself in the capital during the summer of 1639. The marquis of Huntly's younger son, James Gordon, Lord Aboyne, had been troubling the Covenanters in Aberdeenshire but once peace negotiations were underway, he set off for Berwick. Aboyne travelled through Edinburgh, and while there, (apparently in keeping with his character), he managed to provoke a crowd of

¹¹⁹ Balfour, *Works*, ii, 317, 321. *CSPD 1638-39*, 628. Gordon, *Scots Affairs*, ii, 237. Guthrie, *History*, 52. *Baillie*, i, 195. Munitions intended for the troops who took the castle had apparently come through the Danish-controlled Sound, Murdoch, *Britain, Denmark-Norway*, 105.

¹²⁰ This picture was corroborated by another source. *CSPD 1638-39*, 628. *CSPD 1639*, 180.

¹²¹ Gordon, *Scots Affairs*, ii, 16. *CSPD 1639*, 630.

women with taunts about the conditions of the pacification. They chased him down the High Street wielding their cooking knives. Traquair yet again seems to have been caught up in this mischief, although he came off better than his footman, who was hauled away and beaten up. The justice general, Sir William Elphinstone, was also in the wrong place at the wrong time. He was kidnapped and held until 'a lusty dame' made him sign the Covenant, whereupon he was released unharmed and forced to repeat the exercise by the women in the street. Once again, 'some gentleman Covenanters' came to the rescue of these unpopular individuals. A barber and a 'wyfe at the Netherbow' were apprehended but do not seem to have been prosecuted, although the town council felt the diplomatic situation was sensitive enough to warrant sending 'some of the burgesses' to apologise at Berwick. The magistrates, apparently at Traquair's behest, were not amongst them.¹²²

The necessity of placing Edinburgh Castle in royalist hands was articulated by its reluctant royal governor, the muster-master general, Patrick Ruthven, Lord Ettrick. His professed aim was 'the dividing of Edinburgh from the rest of the kingdom'.¹²³ The people of the capital evidently had different ideas because Ettrick was jeered and jostled by several hundred people on his way up the High Street, as was Hamilton a few days later.¹²⁴ Ettrick busied himself with attempting to supply the castle, which had been stripped of virtually all its victual and ammunition, but it seems that even the soldiers put at his disposal, allegedly by Traquair, were as keen on the Covenant as their civilian brethren in the town.¹²⁵ Charles thought it was entirely reasonable for Ettrick to bombard the town into supplying him with victual 'at reasonable prices', but Ettrick seems to have been reluctant to do this and as a result found himself paying 'excessively' for his provisions. The town council were ordered by the king at the end of December 1639, and several times thereafter, to assist the governor but it was, understandably, obstructive rather

¹²² Sir James Hamilton and George Hay, 2nd earl of Kinnoull also seem to have been caught up in the fracas. *Baillie*, i, 219–20. Gordon, *Scots Affairs*, ii, 282; iii, 24, 27, 30. *CSPD 1639*, 371, 375.

¹²³ *CSPD 1639–40*, 121, 483. *Ruthven Correspondence: Letters and Papers of Patrick Ruthven, Earl of Forth and Brentford, and of his family. AD 1615–AD 1662*, ed. W.D. Macray (London, 1868), p. xvii.

¹²⁴ *CSPD 1639*, 349–50, 355.

¹²⁵ *CSPD 1639*, 408–9.

than helpful. Ettrick claimed that William Dick, re-elected provost for another year in October 1639, 'pretended' that the 'common people' were 'apt to mutiny' in order to justify his tardiness, although some supply appears to have made it into the castle at the beginning of February. His work continued to be hindered, however, and throughout the spring, Ettrick was beset by sabotage and desertions; when a part of the castle wall which had only just been repaired promptly collapsed again, the governor suspected that the workmen were in connivance with the same townspeople who were impeding the delivery of supplies. In January 1640, Ettrick despondently told the king he had no friends but God and 'your Sacred Majesty' to rely upon. Charles continued to express his confidence in Ettrick's ability to 'go on cheerfully'.¹²⁶

A council act of 4 April 1640, which implemented measures 'for opposing of all invasioun',¹²⁷ indicates that the town's attitude towards the castle had been decisively informed by the imminence of the king's renewed attempts to subdue Scotland by force. The town council were in a difficult position. Its members did not want to disobey the king while there was still officially a truce in place, although this did not prevent them sending a disgruntled letter expressing their irritation that 'the tower of our defence under your Majesty is turned into a terror against us'.¹²⁸ More importantly, Ettrick had been given permission to fire on the town but, if they acquiesced in his demands for supply, they were effectively assisting Ettrick to do just that. Perhaps the council hoped that the breach between the Covenanters and the king could be repaired and the governor would have no need to attack the town. So although the council did enable Ettrick to supply the citadel, their efforts were sufficiently dilatory to warrant the governor's exasperation with Edinburgh's 'seditious burghers'. By the spring of 1640, even these efforts began to falter, and the council were clearly turning a blind eye to the sabotage campaign being waged by the capital's inhabitants.¹²⁹

¹²⁶ *CSPD 1639*, 374. *CSPD 1639-40*, 121, 360, 440, 468, 470, 481, 544-45, 576-77, 583, 594-95. Gordon, *Scots Affairs*, iii, 87, 99. *Ruthven Correspondence*, 27, 28, 29-30, 39, 43-4, 45, 47. *Edin Recs 1626-41*, 231, 234, 236. Guthrie, 60.

¹²⁷ *Edin Recs 1626-41*, 236.

¹²⁸ *CSPD 1639-40*, 469. It has been wrongly placed at *CSPD 1638-39*, 477-78. Gordon, *Scots Affairs*, iii, 99.

¹²⁹ On 11 March, Ettrick complained bitterly about his conditions, 'notwithstanding my often sending to the Provost about it'. *CSPD 1639-40*, 544-45. *Ruthven Correspondence*, 60, 61, 64.

After a winter of prevaricating about what to do with the castle, the town council decided to take action early in the spring of 1640. Before 8 March, councillors and other members of the estates had resolved to lay 'seidge' to the castle. Bailie Stephen Boyd was sent to ask Ettrick if they might 'raise a mound' in front of the castle, which they spuriously claimed was intended to secure 'a particular part of the town'. When this was denied, the council went right ahead with their plans. Ettrick rightly construed this as an attempt 'to block me up, having already denied me anything by daily provision'. Soldiers were reputedly being levied not only to watch the town, but actively defend it.¹³⁰ Batteries were raised by the town in front of the castle itself, in the fields to the north-west and around the West Kirk, in Greyfriars' churchyard and at a site just north of Trinity church. Houses on Castlehill were turned into defensive stations by filling them up with earth and horse-dung—there is no record of how the inhabitants felt about this. Most spectacular of all was the council's decision to erect an elaborate trench system, made of 'great high traverses of earth . . . in maner of blynds' all the way up the High Street. These 'traverses' were intended to be 'canon prooffe' so that the people could go about their daily business unhindered by the inconvenience of being shot at.¹³¹

The miniature civil war which broke out between the royalist-held castle of Edinburgh and the Covenanted burgh lasted from around the middle of April until 22 September 1640. Although Ettrick does seem to have been reluctant to fire upon the town, fear of an imminent bombardment was bound to raise tensions. Those who had the means to do so began to vacate Edinburgh around the time the defensive works began to go up. As some of these people tried to leave with their worldly possessions in tow, they were surrounded by 'a multitude of the cittizens' who tried to hinder their progress 'in a tumultuary way'. In the fracas, the advocate Sir Lewis Stewart¹³² and David Carnegie, 1st earl of Southesk, who had been sent to negotiate with Ettrick, were seized and held in 'some of the magis-tratts houses'. A number of others who had not signed the Covenant

¹³⁰ *CSPD 1639–40*, 528–29, 554, 555. Gordon, *Scots Affairs*, iii, 125–26.

¹³¹ Gordon, *Scots Affairs*, iii, 127–28. *CSPD 1639–40*, 554, 576–77. *CSPD 1640*, 99–100.

¹³² Stewart's daughter Jean was Wariston's beloved first wife. *Wariston's Diary*, pp. xiii–xiv.

were also apprehended, including the former Edinburgh minister, Mr James Fairlie, Mr Robert Burnet, advocate (brother of Gilbert, bishop of Salisbury), Mr James Gordon, keeper of the signet, Mr James Farquharson, Hamilton's lawyer, and Sir Thomas Thomson of Duddingston. They were all released after the intervention of the magistrates calmed the situation, although the price of their freedom was the addition of their signatures to the Covenant. As ever it was 'the unruly multitude'¹³³ who were blamed when the kidnapped gentlemen were persuaded to write letters to the king exonerating the magistrates of Edinburgh.

Ettrick's campaign to 'disturbe the peace of the towne of Edinburgh' began in earnest during the middle weeks of April 1640. As cannon-fire flew over the capital, the council decided on 4 May that the 'exigencie of the tyme' demanded that the 'haill nichtboures' convene every Tuesday after sermon.¹³⁴ Over the course of the summer, various attempts were made by the Covenanters to penetrate the castle's fortifications; it may have been badly supplied and garrisoned, but it was still one of the most formidable strongholds in Scotland. A particularly ludicrous and desperate scheme to dig underneath the foundations, plant mines, and blow a passage into the castle failed. As the castle was positioned on top of a plug of volcanic basalt, it was hardly surprising that over twenty individuals were killed, none of whom were inside the castle.¹³⁵ At the end of July, the town council were still resolute in their belief that the castle could be starved into surrender, and they reserved 600 soldiers from the recently formed Edinburgh foot—the capital was the only burgh to supply its own regiment during the 1640s—'for bloking up of the castle'.¹³⁶ Yet at the height of these hostilities, Charles suddenly (and uncharacteristically) became the focus of brief accord; when Ettrick was given sight of the king's warrant for a parliament, by pulling it up the walls with a piece of string, wine was also conveyed to him so that Ettrick and the Covenanting nobles could drink a toast to the king's health.¹³⁷

¹³³ Gordon, *Scots Affairs*, iii, 126–27. *Edin Recs 1626–41*, 241.

¹³⁴ *CSPD 1639–40*, 61. *Edin Recs 1626–41*, 239.

¹³⁵ Gordon, *Scots Affairs*, iii, 200. *CSPD 1640*, 190–91, 297, 361, 479.

¹³⁶ Furgol, *Regimental History*, 50. *Edin Recs 1626–41*, 242.

¹³⁷ *CSPD 1640*, 313.

In the end, neither side actually won in Edinburgh, and the peaceful resolution of the situation was dictated by events elsewhere. The Scottish victory at Newburn on 28 August 1640 concluded the 2nd Bishops' War. It was decisive, not because it was a major battle, but because the English forces had been humiliated by their failure to thrash what should have been, given historical precedent, an inferior army. Negotiations which began at Ripon, then transferred to Westminster, rendered the campaign in Edinburgh irrelevant—Ettrick could do a great deal of damage in Edinburgh but if an English army was not on its way to relieve him, the exercise was pointless. Just over two weeks after Newburn, articles of surrender were drawn up which enabled Ettrick to make an honourable retreat and preserve the safety of some 300 soldiers, their wives and children, their pastors, surgeons and workmen.¹³⁸ On 15 September, Ettrick marched out of the castle 'with colours flying', protected all the way to Leith by the aforementioned 600 soldiers—otherwise the people of the 'good town' would certainly have 'torn them to pieces'. He was in Berwick by 22 September, and travelled on to York where he was reputedly found to be 'full of scurvy'.¹³⁹

It is not clear how many people Ettrick managed to kill in the capital. Balfour thought that about 200 lives had been lost by September, but another source suggested nearly 1,000.¹⁴⁰ Lives were irreplaceable, but the strong bargaining position that the Scots found themselves in, particularly because some of their opposite numbers had already expressed sympathy for the Scottish cause,¹⁴¹ encouraged the commissioners to press for financial remuneration. The batteries for the defence of the town, the 'running trenches' across the High Street, the fortifications at Leith, repair of the town walls and 'satisfactione to the parties whose groundes, gardings and houses wer demolished' amounted to £7,166 13s 4d sterling.¹⁴² The guard for

¹³⁸ *CSPD 1639–40*, 544–45. *Ruthven Correspondence*, 64–6.

¹³⁹ Balfour, *Works*, ii, 402. *CSPD 1640*, 111, 135–36.

¹⁴⁰ Balfour, *Works*, ii, 402. *Ruthven Correspondence*, p. xxvi. Michael Ernley, Governor of Berwick, had been told of 80 deaths by June. *CSPD 1640*, 312.

¹⁴¹ Robert Greville, Lord Brooke, Robert Devereux, earl of Essex and Francis Russell, earl of Bedford, were members of the royal commission. BL, Minutes of the Council at York, 1640–41, Harl.Ms.457, ff.1–2.

¹⁴² It is not clear whether these sums are in £ Scots or sterling. The sums are relatively low, however, and are recorded in an English source, which suggests they are in sterling. BL, Negotiations of Scotch Commissioners at Westminster 1640–41, Stowe.Ms.187.

the town cost a further £10,500 sterling, while the losses caused by the stoppage of trade was estimated at £50,000 sterling.¹⁴³ The total bill amounted to £514,128 sterling—an enormous £6,169,536 Scots. There is little to suggest that much of this money ever found its way back to the people of Edinburgh; at least one woman called Janet McDull was paid £33 by the town council in 1642 for the loss of her crop on the burgh mure during this time.¹⁴⁴ As the English parliament never fully paid the 'freendlie assistance', approved on 22 January 1641, it seems unlikely that everyone whose property was damaged received compensation.¹⁴⁵

A further sum of money, amounting to £72,293 15s, was requested by the Scots at Westminster to cover the cost of the 'generall regiments'. In 1639, Edinburgh town council had not officially provided men and its main role appears to have been as the collective financier of the regiments which were sent to the north of England. The college of justice did provide its own regiment, perhaps to avoid being taxed for the provision of the one headed by Sir Alexander Gibson of Durie and Sir Thomas Hope of Kerse. It consisted of 270 musketeers and 160 pikemen, who acted as a 'well apparelled' lifeguard to General Alexander Leslie, earl of Leven, between March and June 1639. A smaller force was reformed under Durie in July 1640, which appears to have become more famous for its assiduous attendance at Newcastle's brothels than its military exploits in the north of England. Kerse also led a reduced regiment of foot which was probably made up of low-ranking Edinburgh lawyers. Both these bodies were disbanded in August 1641. In October 1640, the town of Edinburgh raised its own regiment under Durie; nothing is known about it apart from its extensive arrears. It has been estimated that casualties during the Bishops' Wars were light, amounting to little more than 1,000 dead on both sides, and there is a good chance that a substantial proportion of these men returned alive to Edinburgh.¹⁴⁶

¹⁴³ BL, Stowe.Ms.187, ff.31–2.

¹⁴⁴ ECA, Town Treasurer, vi, Account 1641–42, f.31. The accounts for 1639–40 and 1640–41 are missing.

¹⁴⁵ Stevenson, 'Financing the Cause', 98. BL, Stowe.Ms.187, f.33.

¹⁴⁶ Fissel, *Bishops' Wars*, 24–5, 28, 58. Fissel's figures suggest no more than a few hundred Scots in total were killed during the Bishops' Wars. C. Carlton, *Going to the Wars: The Experience of the English Civil Wars, 1638–51* (London, 1992), 204. Furgol, *Regimental History*, 28, 50, 57–8. Baillie, i, 213. Wariston's *Diary and Other Papers*, 36.

A Capital City

The Bishops' Wars were not, it seems, a catastrophe for the town of Edinburgh. There had been loss of life, the interruption of trade had clearly cost Edinburgh's merchants a great deal of money, and many properties must have been damaged during the four-month bombardment. Crucially, however, Edinburgh's political structures remained stable and the authority of the town council was not permanently damaged by the riots of 1637. During the summer of that year, while the town council was fundamentally out of tune with a large body of the population, many of whom were socially significant individuals, Edinburgh was extremely difficult to control. The role of the privy council was very important here; during the crisis of the 1620s, the intelligent, perceptive mediation provided by the senior body had helped save the town from political disintegration. As with the lesser body, unity underpinned the ability to govern effectively. During the 1630s, the privy council's authority was compromised by personal ambition. The bishop of Ross and the earl of Traquair were more interested in how the Prayer Book could advance their own positions than on working to match the king's demands to the community's needs. As a result, they did not attempt to unite the rest of the council behind their respective positions.¹⁴⁷ On 23 July, the privy council was not exactly caught off-guard—nonconforming activity could barely be called clandestine during 1636–37—but it did fail to grasp the significance of what had happened. The riot was intended to show that the Prayer Book would not be accepted in Edinburgh, but if Charles continued to insist on its enforcement, the privy council was left without a policy. There was no negotiation possible while Charles maintained his uncompromising position. This left the town council uncomfortably isolated. With a mob outside the council house and a king far away in London, it is little wonder that the town council opted to support the supplicants.

As John Walter has pointed out in relation to seventeenth-century food riots, public disorders did not necessarily indicate a rejection of the existing regime, and opposition to the Prayer Book conforms to this idea.¹⁴⁸ Once the town council agreed (under extreme duress)

¹⁴⁷ Lee, *Road to Revolution*, 185, 192, 196, 201.

¹⁴⁸ J. Walter, 'Grain Riots and Popular Attitudes to the Law' in J. Brewer and

to support the supplication campaign, there were no further assaults on their authority. The persistent targets of popular anger were very particular people. One was the former conformist minister of Edinburgh, Thomas Sydserf, who may have thought that the bishopric of Galloway was due recompense for his sufferings during the 1620s. The other was Traquair, who was probably perceived to be the man who should have stood up to the bishops in the first place. More importantly, the town council realised that, in these uncertain times, unity had to be maintained at all costs. Hay's machinations during the second half of 1637 threatened to undermine the council by dividing it against itself, and it is telling that once he had been literally driven out of town, there were no more open expressions of dissent or defection amongst that same body of people.

The harmonious cooperation evident within the council once it had joined the supplication campaign was partly a response to an external threat—invasion—but there was another important component. With the privy council placed uselessly elsewhere as the supplicants took over the capital, the possibility of competing loyalties was removed. This actually aided the restoration of an acceptable hierarchy of power, as embodied, by at least November 1637, in the Tables. Moral authority was the bedrock of the legal right to enforce laws, and it is apparent that, as far as the crowds on the streets were concerned, the word of the earl of Rothes carried more weight than that of the king's councillors. People in Edinburgh seem readily to have accepted the Tables as a replacement for the privy council, although the aggressive subjugation of Aberdeen in 1639 shows that this was not automatically the case in other parts of Scotland.¹⁴⁹ The genuine popularity of the supplication campaign, and the sense that it was morally valid, even if this meant war with the king, is apparent in the level of support its leaders could rely on in Edinburgh. It is evident in many of the reports, hostile or otherwise, that this support was not just amongst the type of people who could always be relied on to enjoy a good riot. Nonconformity had infiltrated the upper levels of burgh society and their practical expressions of loyalty probably encouraged many others to part with their cash. Of

J. Styles (eds), *An Ungovernable People: The English and their Law in the Seventeenth and Eighteenth Century* (London, 1980), 60.

¹⁴⁹ DesBrisay, "The Civill Wars" in Dennison, Ditchburn and Lynch (eds), *Aberdeen*, i, 247–54.

course there was pressure, and those who did not join the campaign had a hard time in the capital, but this should not diminish the fact that zeal for the cause was genuine at many levels of the burgh community.

With war looming from the spring of 1638, the Covenanting regime was obviously reliant on Edinburgh's vast material resources and its international mercantile networks. Just as crucial was Edinburgh's role as a secure base from which the regime could coordinate its efforts. In return, the town council was essentially left to its own devices. This was an important departure after a decade of increasing royal interference in Edinburgh's affairs, which reached its apogee with the king's placement of Hay as provost in September 1637. In 1648, a government controlled by a minority of Covenanting radicals would once again seek direct intervention in the town's business. Until then, Edinburgh would enjoy complete autonomy within its own jurisdictions, an enhanced political profile and the more ephemeral quality of believing itself to be a capital, not just the provincial seat of a marginalised and emasculated kingdom.¹⁵⁰

It is important to reiterate that the Covenanting movement could have been smashed as quickly as it had come into being if the king's army had been victorious in June 1639. The very idea of the Covenant was in some respects a breathtakingly bold move, but it also reflected insecurity in the face of the king's wrath. Rothes, Balmerino, Wariston and their clerical friends were in a similar situation to the Lords of the Congregation in 1559, in that they were forced to justify a position of open opposition to the proper authority. After the signing of the Covenant, Hamilton was stating the obvious (not advocating a course of action) when he told the king that Scotland would not fall into obedience, 'except it be by force'.¹⁵¹ Once king and Covenanters began to mobilise, the Scots attempted to bolster their position by convincing the English that God had brought the two countries together as Protestant sister-nations.¹⁵² In Scotland, the Covenanters seem to have had considerable success convincing people that they

¹⁵⁰ Edinburgh's political profile is discussed more fully in Chapter Seven.

¹⁵¹ NAS, Hamilton to Laud, 4 Jun 1638, GD406/1/552. Scally, 'Counsel in Crisis', 29.

¹⁵² More work is needed on this subject. Russell, *Fall of the British Monarchies*, 43–4, 61–3, 69, 96–7. The culmination of this vision was the 1643 Solemn League and Covenant.

were defending the country, not attacking the king—this contrasts with 1559, when a small group of men committed to protestant reform confessed that it was hard to get people to rise up against the proper authority.¹⁵³ It obviously says something about the extent to which evangelical protestantism had penetrated society across Lowland Scotland, but it also indicates a deep sense of alienation from the king and his Scottish government. The Covenanting regime managed to put in motion a propaganda juggernaut which ran over the top of doubters, prevaricators and outright opponents, enabling a truly radical programme of reformation which most people would not otherwise have embraced. Yet the fundamental theory behind the Covenant, the protection of religion, kingdom and king¹⁵⁴ was truly popular in Edinburgh, even if making sense of these ideas would prove impossibly difficult in practice.

For Edinburgh's population, the Covenant seemed to promise a heady cocktail of religious assurance, a renewed sense of a cohesive burgh community and national self-expression. For the town council, it ensured that they would not be abandoned as soon as the king's men appeared over the Cheviots. As a corporate body, the town council supported the supplication campaign because they had no choice and it could be argued that the best was made of a bad situation. The failure of the royalists to make a convincing case for the loyalty of Edinburgh's political elite points to the importance of consent in local government—Hay's experience showed that the king's authority had distinct limits if there had been disregard for customary forms and traditional consultation processes. The Covenanting leadership recognised this. Although the next chapter will show that Edinburgh burgesses were not at the heart of decision-making, the regime worked hard to ensure that leading local figures were consulted and that the town's interests were protected. Charles had thought that he really could 'write and it is done';¹⁵⁵ Edinburgh expected to be acknowledged and respected, and then things could be done. Without this essential process of mediation, the town council were unable to support the king.

¹⁵³ *Calendar of State Papers relating to Scotland and Mary, Queen of Scots, 1547–1603* (13 vols., Edinburgh, 1898–1963), i, 240.

¹⁵⁴ *Scottish Historical Documents*, 199.

¹⁵⁵ Lee, *Government by Pen*, p. vii.

CHAPTER SEVEN

THE COLLAPSE OF CONSENSUS: POLITICS IN EDINBURGH, 1640–52

Edinburgh Burgesses and Covenanted Government

The ‘humiliating’ terms which the king was forced to accept at Ripon during the first weeks of October 1640 did not signify anything more to Charles than a temporary setback—his Scottish subjects were still ‘rebels’ in his eyes—but it was clearly a watershed for the Scots.¹ In Covenanted circles, the years since the Prayer Book riot had been marked by expediency and opportunism, as Scotland was pushed by necessity into resisting the king. Defence was the watchword of the campaigns known as the Bishops’ Wars, as much because the Scots did not actually have any long-term agenda,² as for a politic need to gain and maintain support on both sides of the border. The negotiations which began at Ripon then transferred to Westminster changed all that, because now that the Scots were in a position to make demands, they had to have something to ask for. From this point until the Cromwellian invasion of 1651, the Scottish agenda remained both simple, despite the complexity of their actions, and consistent, although it certainly did not appear so to contemporary Englishmen. The vague ‘eighth demand’ presented to the English commissioners summed up their desire for ‘a stable and well-grounded Peace, for enjoying of our Religion and Liberties, against all fears of molestation and undoing’.³ This ‘perfect amitie’ could only be achieved

¹ J. Kenyon with J. Ohlmeyer, ‘The Background to the Civil Wars in the Stuart Kingdoms’ in J. Kenyon and J. Ohlmeyer, *The Civil Wars: A Military History of England, Scotland, and Ireland 1638–1660* (Oxford, 1998), 31, 38. Russell, *Fall of the British Monarchies*, 207.

² John Morrill has argued that the Covenanters did not see their problem in British terms and that it was 1640 before they considered exporting their revolution. J. Morrill, ‘The Covenant in its British Context’ in Morrill (ed.), *Scottish National Covenant*, 14–16, 20. This impression is supported by David Stevenson’s work, Stevenson, *Scottish Revolution*, 212, 214, 220–21.

³ Stevenson, *Scottish Revolution*, 215–16.

through the creation of 'one religione' throughout the British Isles.⁴ Faced with a thorough programme for a total overhaul of their church, many Englishmen maintained that the export of Scottish discipline would 'rob us of ours' and make them 'greater slaves' than they had been under Charles.⁵

Edinburgh was actively involved in this enterprise and, as a consequence, political events in the town would be profoundly affected by that hopelessly, wonderfully ambitious attempt to impose 'the Scottishe way' of doing things on England.⁶ The huge debt (in the most literal terms) which the Covenanted experiment owed to Edinburgh has never been fully explored; the capital had blown the Scottish powder-keg, but, after that, Edinburgh escaped relatively lightly in comparison to those places all across the three kingdoms which found themselves repeatedly tramped over by numerous armies.⁷ This was particularly so during the 1640s, when the assumption, albeit largely well-founded, is that Edinburgh's political elite fell dutifully into line behind the Covenanted regime. Yet surely this in itself is a remarkable development, given the disintegration of the town's finances and the concomitant upsurge in taxation. Was Edinburgh, political elite and population alike, so committed to the word of the Covenant, which was in itself so vague as to be open to dispute from the very outset, that no hardship was too much to endure? Political activity in Edinburgh between the conclusion of the Bishops' Wars and the English invasion merits closer analysis, because as both James and Charles had been aware, if the Covenanted regime could not get Edinburgh to co-operate, the rest of Lowland Scotland was almost certainly a non-starter.

Although the capital was now deeply committed to the Covenanted regime, the government was not secure in the rest of Scotland. The north-east was still proving difficult to subdue,⁸ while doubts about the legitimacy of resistance against the monarch began to coalesce in the person of James Graham, marquis of Montrose, during the

⁴ BL, Negotiations of the Scotch Commissioners at Westminster 1640–41, Stowe. Ms.187, ff.41–2.

⁵ BL, Proceedings in Parliament 1620–41, Add.Ms.28,011, f.47.

⁶ BL, Nicholas Papers, Eg.Ms.2,533, ff.160–62.

⁷ DesBrisay, "The Civill Wars" Dennison, *et al.* (eds), *Aberdeen*, i, 247–61. Carlton, *Going to the Wars*, chs. 3, 7, 8, 9, 11.

⁸ DesBrisay, "The Civill Wars", 254–55.

second half of 1640.⁹ A remarkable religious and constitutional revolution had been instigated in the wake of the Prayer Book crisis,¹⁰ but it was critical that the regime did not, through the heady distractions present in England, neglect the necessity of securing its position within Scotland. The bureaucracy created to do this was based on a unique, sophisticated conciliar system that emanated outwards from a 'nimble-footed' executive, the committee of estates. Specialised functions were assigned to subsidiary bodies, thereby allowing for both greater flexibility and, arguably, better attention to detail than would have been possible in full parliamentary sessions. It was a system that, as operated by Argyll, needed a small, dedicated core of personnel whose knowledge of numerous committees could help to prevent the system becoming unwieldy. John Young has pointed out that the burgesses made up a loyal phalanx of the regime, capable of providing a vital reserve of manpower and a necessary check against the dilution of the Covenanted agenda by potentially conservative-minded landholders.¹¹ Although Covenanted government unleashed lively debate and bureaucratic innovation at all levels of its sophisticated structure, it is clear that only a handful of the burgesses could be called prominent. They were predominantly drawn from Edinburgh.

During the 1640s, at least twenty-four Edinburgh men participated directly in Covenanted government. Although six of them were members of the political elite, the regime clearly included a wider body of Edinburgh merchants who would have had little formal involvement in royal government.¹² On the other hand, it is unlikely that these Edinburgh merchants were the principal voices heard in the meeting chambers. Archibald Sydsersf, commissary depute, may

⁹ Stevenson, *Scottish Revolution*, 205, 224.

¹⁰ The best account of the parliaments and general assemblies of 1638–40 is Stevenson, *Scottish Revolution*, 114–22, 163–77, 190–98. See also Young, *Scottish Parliament*, chs. 1 and 2.

¹¹ Stevenson, *Scottish Revolution*, 195. Young, *Scottish Parliament*, 238. J.J. Scally, 'The Rise and Fall of the Covenanter Parliaments, 1639–51' in Brown and Mann (eds), *Parliament and Politics*, 138 [quotation], 142–45, 154–56. Scally's discovery of a short diary written by Hamilton during March and April 1648 vividly shows how much talking went on in government, formally and informally. For a discussion of how the covenanters adapted the traditional arrangement of the 'estates' once the bishops had been excluded, see J. Goodare, 'The Estates in the Scottish Parliament, 1286–1707', *Parliamentary History*, xv (1990), 11, 19–20.

¹² Appendix, Table 4.

have attended 96 per cent of the meetings held in February and March 1646, but it seems unlikely that he would have been conversing on equal terms with the marquis of Argyll or John Lindsay, 1st earl of Crawford-Lindsay. William Dick's presence may have been ubiquitous,¹³ but most of the information relates to his complex financial dealings. This in itself must have consumed so much of his energy that policy-making may have been gratefully left to others. John Binnie was on the commission for regulating the common burdens, the commission for the brotherly assistance, and two financial sub-committees between 1641 and 1643. He appeared as a commissioner of the general assembly to discuss a religious unity with England in 1643, but during the later 1640s, he was mostly absorbed by the monstrous task of helping to audit the regime's accounts.¹⁴ John Jossie and John Kniblo, deputy-receiver for the army in Ireland and commissary of artillery respectively, took on essential roles without which the Covenanting armies could not have functioned. Like most other burgesses, however, these men were primarily involved in collecting and distributing money and supplies, not in making policy.¹⁵ In truth, government, especially in the 1640s, was a time-consuming, money-draining activity that took burgesses away from their own businesses. Only two Edinburgh merchants can be identified as possible contributors to high-level political decision-making. There may have been a 'thorough transformation of government within Scotland' but it was still pinned on a hierarchical political community dominated by a handful of the nobility.¹⁶

The two Edinburgh merchants who sat regularly on the committee of estates, rather than just on financial committees, were John Smith and James Stewart.¹⁷ John Smith was already in the process

¹³ Young, *Scottish Parliament*, 75, 89, 115–16, 161, 215, 232, 265. *APS*, vi, pt. i and vi, pt. ii, see under Dick.

¹⁴ NAS, E78/2, p. 8, PA15/5, 6, 9. PA14/1, f.1r. *RPCS*, 2nd ser., vii, 374. Young, *Scottish Parliament*, 44–45, 53, 56, 59.

¹⁵ *RPCS*, 2nd ser., vii, 409. For the activities of other Edinburgh burgesses, see Young, *Scottish Parliament*, 44–5, 53, 56, 59, 105, 127, 156, 157, 160, 169, 274, 294.

¹⁶ A.I. Macinnes, 'The Scottish Constitution 1638–51: The Rise and Fall of Oligarchic Centralism' in Morrill (ed.), *Scottish National Covenant*, 106.

¹⁷ A case could be made for Archibald Sydsenf, who seems to have allied himself with the interests of the marquis of Argyll from 1644, although he remained active during the Engagement crisis and was one of those appointed to consider how the breach with the English parliament occasioned by the Engagement should be justified. In the autumn of 1660, he sat on the committee of estates. NAS,

of making a political career for himself when the Prayer Book crisis occurred. He had served at least six, and possibly seven times, on the town council before 1639, including twice as a bailie, but other than appearing as an ensign bearer during a wapinshawing (weapon-showing) in 1625,¹⁸ he does not appear to have been a key figure. Like William Dick, Smith's usefulness to the regime rested on a combination of his willingness to provide credit and his solid religious credentials. Smith had publicly fallen out with the minister and future bishop of Edinburgh, William Forbes, in 1624, hinting at a sympathy for nonconformity. When the Prayer Book riots occurred, he grabbed the opportunity. In October 1637, after the second riot, Smith was campaigning for the withdrawal of the Prayer Book. While this may genuinely reflect Smith's religious feelings, as a town councillor he was probably well aware of the way the wind was blowing on the streets of the capital. Smith was on a committee supplicating for a parliament in 1639, which also included James Cochrane, John Sinclair, Edward Edgar, William Gray and James Roughead. As one of the commissioners at the Westminster peace negotiations in 1641, Smith used his contacts in London to meet the expenses incurred there and went on to supply the regime with an enormous loan of £10,000 sterling (£120,000 Scots).¹⁹ In the later 1640s, Smith maintained a close association with the radical faction that took power after September 1648.

James Stewart was a more obscure figure. Unlike most of the other members of the political elite, Stewart became a burgess and entered the guild in 1631 through his wife, a niece of Sir Thomas Hope of Craighall. Apart from reputedly acting, as captain of the town guard, to prevent popish peers entering the Tolbooth during the king's visit of 1633, Stewart's political profile before the 1640s was limited. He had never sat on the town council prior to 1641,

Register of the Committee of Estates, Aug-Oct 1660, PA11/12. NLS, MS.8482, f.63r. Young, *Scottish Parliament*, 89, 107, 121, 152, 155, 161, 179, 205, 209, 308. Guthrie, 178–79.

¹⁸ The problem with Smith is his name, as it is difficult to distinguish him from the other John Smiths who were merchant burgesses in Edinburgh. A John Smith appears on the town council in 1626 but disappears again for four years. *Edin Recs 1604–26*, 269.

¹⁹ Richard Fleming, Richard Maxwell, Robert Meiklejohn and Thomas White also supplicated for a parliament in 1639. *Edin Recs 1626–41*, 197, 198, 222, 236. PA14/1, ff.4v–5r, 11r–12v.

when he was also nominated to sit on a committee, made up of Edinburgh merchants, to consider trade with England. If Stewart's uncle, the treasurer depute and justice-general, Sir James Carmichael, was responsible for encouraging him to become involved in public affairs, Stewart may well have possessed the kind of social connections that put him in the right place at the right time.²⁰ He is said to have been a 'good friend' of one of the Covenanted movement's most influential thinkers, Mr Alexander Henderson, who became a minister in the burgh in 1639.²¹ A 'Mr James Stewart' is also mentioned in the papers of another Edinburgh merchant, John Clerk, who married William Gray's fourth daughter, Mary, in 1647. During the 1630s, Clerk had been acting for numerous Edinburgh merchants, including John Smith, John Byres, Peter Blackburn, William Dick and Dick's son, Lewis.²² Although Stewart was not himself a major political figure, he may have been promoted by more influential people. At the very least, there is a suggestion that the expansion of a centralising government during the 1640s, which increasingly required a dedicated corpus of bureaucrats, presented new opportunities to men from less conventional backgrounds.

The Provostship of Alexander Clerk, 1640–43

The contribution of Edinburgh figures to the Covenanted regime has been comprehensively analysed,²³ but how did the unprecedented political profile of these men affect local government? In general terms, the 1640s certainly opened up the political scene in Edinburgh, primarily because there was no longer a single dominant figure (the king) acting as the only viable channel of patronage. There were

²⁰ The trade committee came about as a result of the brief peace after the 2nd Bishops' War and the king's visit to Scotland that summer. *Edin Recs 1626–41*, 253. *Coltness Collections*, 1, 14, 18, 19.

²¹ Henderson died in 1646, before Stewart was made provost. 'Diary of Mr Robert Douglas with the Army in England' in *Historical Fragments*, 78.

²² Although the designation 'Mr' meant a graduate in Scotland, English and French merchants appear to have used the term without any particular precision. NAS, Account Book of John Clerk, GD18/2367, nos. 4, 11, 23, 28, 29. NAS, Letter Book of John Clerk, GD18/2368, nos. 17, 35, 40, 41.

²³ Young, *Scottish Parliament*, appendices, 332–37 and index. *The Government of Scotland under the Covenanters 1637–1651*, ed. D. Stevenson (SHS, 1982), appendix 8, 193–98 and index. Young (ed.), *Parliaments of Scotland*, index.

four different men who sat as provost in the ten elections between 1640 and 1652, two of whom were Smith and Stewart. As will be seen, their participation in the Covenanting regime correlated closely with their role on the town council. Archibald Tod was provost in the mid-1640s and attended the committee of estates in 1647, but he was almost exclusively an Edinburgh figure.²⁴ The surprising fourth man is Alexander Clerk, who replaced William Dick as provost in September 1640. He had been closely allied to defunct royal religious policy during the 1620s and 1630s, so why was he chosen?

By the time of his re-election in September 1640, Clerk was an old man,²⁵ with a network of political allegiances forged over four decades. Clerk was clearly one of the most experienced councillors in Edinburgh, with a history of attendance at parliaments and conventions of the royal burghs. Familiarity with the operation of the town council over many years would have been a sufficient reason to elect him, but during a period dominated by delicate negotiations with the king and careful cultivation of potential friends in England, Clerk's experience was more relevant than ever before. By the autumn of 1640, the bombardment of Edinburgh had killed hundreds and supplying the Scottish army camped in the north of England was causing problems. The Scots were consequently keen to make a settlement.²⁶ By selecting Clerk as provost, the political elite at local and national level were making a conciliatory gesture towards the king, but they must also have been aware of the need to create a better working relationship with Charles if a permanent peace was to be secured. Covenanting loyalists were not sidelined, however, and Clerk's provostship was balanced by the presence of men who had supported the supplication campaign from the beginning, notably Dick, John Smith (who was a bailie), Thomas Paterson and James Cochrane.²⁷

The need for a safe pair of hands, as well as someone who was not obnoxious to the king, was realised when Charles visited Scotland in August 1641. It must have been a humiliating 'homecoming'²⁸ for

²⁴ Young, *Scottish Parliament*, 184, 188.

²⁵ Clerk became a burgess in 1602, suggesting he was in his sixties by 1640.

²⁶ Stevenson, *Scottish Revolution*, 209–10.

²⁷ See Chapter Five for the earlier activities of these men. The nonconformist John Fleming was also on the council of 1640, see Appendix, Table 4.

²⁸ *Edin Recs 1626–41*, 247.

the king. When not sitting through extensive bouts of praying and sermonising, Charles was forced to witness the ratification of legislation enacted in the Scottish parliaments held since 1638. These acts were then published in his name without being touched by the royal sceptre, implying that parliamentary, not royal, sanction made them legal.²⁹ It was evident that Charles did not see this as his definitive statement on the matter, however, and his plotting while in Scotland made a mockery of the 'infinite paynes' he apparently took to 'pass fayre with this people'.³⁰ He was also clearly intending to buy the favour of leading Covenanters by offering them pensions and titles—William Dick and John Smith, councillors again in 1641, were knighted—which succeeded in irritating the royalists.³¹ Nonetheless, the king evidently remained the very epicentre of British politics and Edinburgh no doubt considered it prudent, as he was actually in town, to elect as provost someone who was well-regarded by their monarch.

Clerk's merits were not simply related to keeping the king happy, as he was re-elected in 1642. It is not at all clear, from a political viewpoint, why this should have been so. The regime's insecurity was manifested in divisions over how to proceed against 'Incendiaries' and 'Plotters', but this needs to be balanced against the increasing consolidation of government committees in the hands of the radicals, led by Balmerino, Argyll and John Kennedy, 6th earl of Cassillis. Between the end of 1641 and the middle of 1643, Scottish politics was dominated by the outbreak of the Irish rebellion (October 1641) and the English civil war (August 1642).³² In this turbulent climate, the choice of the experienced Clerk seems less strange. Edinburgh was once again called upon to make large financial contributions for the deployment of troops in Ireland, putting great strain on the burgh's resources. At the same time, the ferocious debates over whether to support the king or parliament understandably generated an air of instability. Although Edinburgh may have preferred a moderate man to protect their interests in these difficult times, it is possible that Covenanting loyalists were consolidating their position on the council; the influential post of bailie was given to both Edward

²⁹ BL, Eg.Ms.2,533, ff.160–62, 199–200, 204–5. Stevenson, *Scottish Revolution*, 234.

³⁰ Stevenson, *Scottish Revolution*, 234–39. BL, Eg.Ms.2,533, f.162.

³¹ Stevenson, *Scottish Revolution*, 240–41. *Edin Recs 1626–41*, 249.

³² Young, *Scottish Parliament*, 55, 61–2, 69.

Edgar and Archibald Sydserf, two committed members of the Covenanting regime.³³

The last months of Clerk's provostship were dominated by the rebellion in Ireland. Both king and English parliament saw potential advantages to their own position if the Scots became involved in Ireland (even if both also had serious misgivings), while the Covenanters, apart from sympathising with their co-religionists, the Ulster Scots, were keen to prevent Ireland being used by royalists as a point of entry into Scotland. After months of wrangling, the English parliament finally agreed to pay a Scottish army to assist the Irish Protestants in July 1642, by which time the first Scottish troops had already made the short crossing to Carrickfergus. With the outbreak of hostilities between king and parliament in England, however, supply for an alien and potentially dangerous army in Ireland inevitably suffered. Although subsequent debate on Ireland was being used as a pretext by radical Covenanters to discuss assisting the English parliament against the king, practical steps were taken to organise supply for the Scottish army in Ireland. Once again, the Covenanters turned to Edinburgh for help.

In March 1643, Argyll and Cassillis led a delegation to Edinburgh town council to discuss supplying the army in Ireland, by which time the Edinburgh merchant, John Jossie, had already agreed to act as deputy receiver of monies. The organisation of collecting loans seems to have fallen principally on Jossie, rather than his superior, William Thomson, receiver-general for the army, who was presumably busy enough. Although members of the privy council and leading Covenanters provided 60 per cent of the £173,544 that Jossie was able to secure, it was the 'nighbouris of Edinburgh' who were represented in the greatest numbers. As well as the provost and the prominent councillor, John Binnie, who were included as members of the government, a further 94 Edinburgh inhabitants provided loans worth £36,899. This was almost double the amounts provided by the Fife, Lothian and Linlithgowshire gentry.³⁴

Although the sums provided were woefully insufficient for the army's needs, willingness to provide these loans reveals the continuing commitment of Edinburgh's political elite to the Covenanting regime and to the pan-British agenda that was believed necessary if

³³ *Edin Recs 1642-55*, 13. *RCPS*, 2nd ser., viii, 85-9. Appendix, Table 4.

³⁴ *RPCS*, 2nd ser., vii, 409, 412; viii, 83-90.

Scotland's interests were to be permanently secured. The Irish issue may also have served to bind Edinburgh's Covenanting merchants more closely to Argyll's interest, especially as the proximity of Argyll's lands to Ireland gave him particular reason to support endeavours there. If Argyll was to achieve his more ambitious aim of bringing Scotland into the English civil war on the side of parliament, the support of Edinburgh's mercantile elite would have been highly desirable. Argyll's agenda was boosted, in Edinburgh at least, with the death of the moderate Clerk sometime in the late summer of 1643. His passing marked the complete collapse of Caroline government in Scotland and the rise of a new claimant for the loyalty of the Scottish political elite—the English parliament.

Radical Consolidation, 1643–46

The struggle between king and parliament in England had a profound impact on the power plays within the Covenanting regime, which in turn affected how the regime interacted with its leading burgh. A convention had been summoned for June 1643, which had not sought royal assent but claimed to be able to determine any matter itself. This decision, secured by the faction around Argyll, was an essential precursor to the arrival, early in August 1643, of the English commissioners who would conclude the Solemn League and Covenant with the Scots.³⁵ With the prospect of involvement in the English civil war looming, it was imperative that Edinburgh elected a provost who would fully support the League. Argyll's successful bid to implement this policy manifested itself through the appointment of John Smith in September 1643. A month earlier, the magistrates had been granted the right to act as a shire war committee, with the power to choose their own colonels and officers. Although many burghs were represented on shire war committees, these bodies were dominated by the landholding elite and urban communities would not have been able to act independently. Edinburgh, in being allowed the privilege of sitting as a committee, had been granted an important concession that gave the town council complete control over the raising of men and money.³⁶

³⁵ Stevenson, *Scottish Revolution*, 276–77. Young, *Scottish Parliament*, 62–3.

³⁶ Numerous burghs, like Edinburgh, held the rights of heritable sheriffship within

Smith was a man whose zeal was not in doubt; he had been exempted from a royal pardon and declared a traitor in April 1639. By the summer of 1643, Smith had conspicuously aligned himself with Argyll, but he had also been one of the most prominent burgh representatives within the regime to date. In 1638 and again in 1640, Smith had been responsible for collecting voluntary contributions for the regime. His importance as a creditor is measured by the fact that he was one of the first to be considered for repayment out of the brotherly assistance—an issue that caused a fall-out with the government's other big lender, William Dick, in 1642.³⁷ His political profile was also impressive. As well as being one of only two burgesses on the commission sent to settle the treaty of London in 1640–41,³⁸ Smith was also involved in the negotiations leading up to the signing of the Solemn League and Covenant in 1643. Smith was clearly a Covenantee stalwart and if Scotland was back on the war-path, such a man would be required at the helm of the country's leading burgh. Elevation to the provostship said a great deal about Smith's Covenantee credentials but for the wider community, he was also an Edinburgh burgher with an acceptable level of political experience.

Smith's reign in Edinburgh was broken by events outwith his control. While the town was devastated by plague,³⁹ much of the rest of Scotland was being devastated by the army headed by the marquis of Montrose. The Covenantee regime was in disarray, with its armies stretched implausibly across three fronts and its leaders scattered. Edinburgh itself was isolated, with much of its population either straggling back from the campaigns in the north of England, or elsewhere avoiding the plague. Smith came to the conclusion that complying with Montrose was not really so much a choice as a

their bounds, *APS*, xii, 1117, see under the heading Sheriff, Grants, Resignations. Edinburgh also sent representatives to the war committee for the shire, known as Edinburgh principal to distinguish it from the burgh. In May 1648, the magistrates were specifically mentioned as 'sheriff within themselves'. *APS*, vi, pt. i, 51, 200; vi, pt. ii, 66.

³⁷ NAS, PA14/1, ff.144r–145r. *Government under the Covenanters*, 196. Stevenson, *Scottish Revolution*, 283–85. Another Edinburgh merchant, David Jenkin, was also declared a traitor, *CSPD 1639*, 80.

³⁸ *Government under the Covenanters*, 196. The other burgher with Smith at the London negotiations was Hugh Kennedy of Ayr. BL, Harl.Ms.457, f.2. Young, *Scottish Parliament*, 67, 77. Smith was sending information back to Edinburgh in 1641, ECA, MacLeod Bundle, D0017, no. 7.

³⁹ See Chapter Two and Dennison, DesBrisay and Diack, 'Health' in Dennison *et al.* (eds), *Aberdeen*, i, 69–79.

necessity, and when the marquis requested that envoys be sent to discuss the release of his royalist supporters from Edinburgh's tol-booth prison, Smith did as he was bidden. On 27 August 1645, James Ellis, Gilbert Somerville and John Denholm were sent to Montrose 'with the prisoneris'.⁴⁰ Unfortunately, when Montrose was finally beaten at Philiphaugh in September 1645, the magistrates had to justify their actions. Although the town gaoler seems to have borne the brunt of the investigations, the town council produced an act showing the helplessness of their position against 'so powerfull and merciles ane enemie'. This was especially so because, according to the council, they had been abandoned by the Covenanting forces 'to doe for themselffis'.⁴¹

The political fall-out did not manifest itself until later in the year. It was November 1645 before the committee of estates were secure enough to began investigations into the Montrose crisis. At this stage, Smith was still provost, and thus the burgh's representative to the estates, because plague and civil war had caused a postponement of the customary Michaelmas council election. On 1 December, Smith cleared Edinburgh's tarnished reputation and regained his voting rights⁴²—in contrast, Glasgow, which had been unfortunate enough to play host to the victorious Montrose, was fined and its council deposed. Robert Baillie expressed disgust at Smith's 'fault', but if this was a measure of wider opinion, it was not strong enough to prevent him gaining a third term when belated elections were held in March 1646. With the royalist threat contained in Scotland and the king's supporters in retreat south of the border, Smith's reappointment may reflect a desire, on Edinburgh's part, to keep on the right side of the radicals currently dominating the regime.⁴³

When elections resumed their normal pattern in October 1646, the prospect of a fourth Smith provostship exposed the political unease generated by Montrose's campaigns. Although Smith had been a servant of the government, he could not be seen to escape unpunished when others were under censure for compliance with Montrose. The committee of estates sent a letter to the council that autumn via the minister, Mr Mungo Law, intimating that no-one

⁴⁰ *Edin Recs 1641–55*, p. xiii, 73.

⁴¹ *Edin Recs 1641–55*, 73–6, 404–06.

⁴² Young, *Scottish Parliament*, 141–42. *APS*, vi, pt.i, 478.

⁴³ *Baillie*, ii, 345. Stevenson, *Revolution*, 36–8.

who had 'complied with the Rebels' and failed to give 'satisfacioun to the Kirk' should be elected to the magistracy. As John Smith was due to acknowledge his offence the following day, 'humblie upon his knees' in his own seat in the East Kirk, this was obviously a pointed reference to him.⁴⁴ This gesture may have been designed by the Covenanting leadership to ensure that Smith's re-election could not be thwarted by those who would have used the Montrose episode against him. If so, it failed. Smith lost the provostship, although he sat as an ordinary councillor during the coming year. Smith's embarrassment was made worse by his own brother-in-law, Sir William Gray of Pittendrum, who had been accused of malignancy in April 1646. In comparison to Gray's six-week residency in the tolbooth and a fine of over £23,000, Smith had got off lightly.⁴⁵

The machinations surrounding the October 1646 elections were discussed by Archibald Primrose in a letter to the duke of Hamilton's brother, William, earl of Lanark. It shows that Smith may have been the darling of the radical ministry, but he had alienated a much more important constituency:

There is muche bussines here concerning the election of the Mag[istr]rats. Archibald Tod and Edward Edgar being on the list to be provest, whererat some of the ministers, espealie Mr Bennet and Law, are heiche displeased and seeme now most forward for S. Jo: Smith, and are both his and plaine in the pulpit. Bot for anie thing is yit knowne they will not prevaill, the toun both merchands and trades being throughlie resolved to away with S. Jo: Smith, notwithstanding all the confession made on his knees at sermon on Thursday last . . .⁴⁶

It is interesting that when Smith had appeared before the commission of the general assembly, a number of his own peer group had been present at the hearing. James Stewart was in attendance, although he bowed out on the day sentence was passed, as was one who

⁴⁴ *Commission*, i, 74. Significantly, Smith did penance in his own seat, suggesting that his sins were not considered severe enough for repentance on the stool or in front of the pulpit. Todd, *Culture of Protestantism*, 136. He also appeared before his own congregation, rather than in the High Kirk, where the council's loft was sited, *Edin Recs 1604–26*, 135. This preserved the dignity of his office and made his offence a personal one.

⁴⁵ Gray may have had no choice if Montrose's men were tramping across his estates, so little can be inferred about his loyalties, NAS, Hepburn of Humble: Army Accounts, PA15/7, p. 2. NAS, PA14/3, Register of the Committee of Monies (south), 48–9, 156. NAS, Supplementary Parliamentary Papers, 1646, PA7/4, no. 142.

⁴⁶ NAS, Primrose to Lanark, 30 Sep 1646, GD406/1/2033.

became associated with Stewart's provostship, Laurence Henderson. James Roughead was also there, along with Thomas Paterson, who was active in Covenanting government. Significantly, Roughead, Henderson and Stewart had all been elected as bailies when Smith had won his third term in March 1646.⁴⁷ Had the bailies rushed along to Smith's hearing to show their support—or to see a political rival humbled? By 1646, Edinburgh appears to have been disillusioned with a man whose perceived influence amongst the Covenanting leadership had failed to protect the interests of the burgh. From the spring of 1644, the regime's financial problems prompted them to consider imposing an excise tax on a range of Scottish staples, as well as on foreign imports and exports. The popular response was predictably unfavourable. Mass demonstration threatened to resurrect itself as a political tool; this time, however, it would be used against the regime which had so skilfully manipulated it in the later 1630s. In January 1644, the unimpressed 'citizens' of Edinburgh threatened to tear apart the instigator of this proposal, Lord Balmerino, if the excise went ahead. They disbanded only when the estates agreed to investigate the matter, which gave the regime a breathing space. It was apparently the ministry whose preaching ensured it was ultimately accepted, perhaps because they wanted to keep their man, Smith, in his job. Another mysterious 'tumultuous confluence' of the 'commoune people' took place in January 1645, at the opening of parliament, which may also have been related to taxation. Was there more than a whiff of rebellion adding its aroma to Edinburgh's other distinctive smells?⁴⁸

As provost, and as an individual intimately associated with the Covenanting leadership, Smith was a natural target for a disgruntled population. Robert Baillie, who must have met him while both were in London, also suggested another reason. He thought that Smith was amongst those who 'debaited too much for their own ends upon the excyse'. Provost Smith acquired a place on the committee formed in July 1644 to oversee its administration, which probably did no favours to his public image, but it was his rival, Stewart, who was

⁴⁷ Edinburgh's elders rarely attended the commission in such numbers. Thomas Paterson seems to have attended most frequently. James Stewart was occasionally present. *Commission*, i, 73.

⁴⁸ Guthry, *Memoirs*, 144–45. The committee for the excise sat in February 1644. *Government under the Covenants*, 184. *APS*, vi, pt.i, 226, 238–44.

given the treasurership of the excise. Although government positions could have deep financial pitfalls, Stewart's tenure would show that holding office was a legitimate means of pushing oneself to the top of the lengthy queue for debt repayment. Although the substantial sum of nearly £74,000 filtered its way back into Edinburgh to repay old loans, this may have exacerbated the sense that leading merchants close to the regime were benefiting at the expense of the wider community. This sum almost exactly matched the amount of excise Edinburgh had been expected to pay during 1645–46, of which only £5,333 had been collected in the following two years. With trade already in the doldrums after years of war, the plague outbreak had all but killed it off. Edinburgh's excise payments were so far behind by the early months of 1648, and the tax itself considered so much of a liability in that community, that Stewart could not find anyone willing to risk his own money by taking up the tack.⁴⁹

Smith, in common with a great many politicians, was at least partly a victim of events. He could not have predicted that the highly unpopular excise tax would be followed by a plague outbreak. It is also possible that larger cogs were turning in the autumn of 1646 against Smith's provostship. Charles I had been defeated by the parliamentarians in England, but he was currently in Scots' hands. Negotiations were going badly, but nonetheless, the cessation of hostilities south of the border and the possibility that English money might be forthcoming may have raised hopes that the worst was past. In such a climate, Provost Smith, staunch Covenanter, was no longer a suitable leader for a community eager to put bad experiences behind it and resume business as usual. October 1646 was the end of any meaningful political career in Edinburgh for Smith, although his usefulness to the regime was not yet exhausted. In March 1650, Smith was appointed treasurer of the excise, alongside Sir John Wauchope of Niddrie, and later agreed to take on the role of commissary general. That summer, Oliver Cromwell's army began a bitter campaign in Scotland that ended in occupation, leaving Smith with a pile of unaudited accounts and the attendant financial liabilities. Ten years later, seemingly determined to restore his fortunes,

⁴⁹ *Baillie*, ii, 261. NAS, Excise Accounts 1647–48, E78/2, pp. 1, [20]. Stevenson, 'Financing the Cause', 102–4. *Government under the Covenanters*, 196–97.

Smith swallowed whatever Covenanting pride was left in him and became a Restoration tax collector. The old provost's sudden, single reappearance on the town council in October 1664, corresponds with efforts exerted elsewhere to pursue at least £140,000 owed to him since the late 1640s. By his death some time after 1678, Smith was probably an octogenarian whose life had proved remarkable as much for its length as its eventfulness. One wonders what the old Covenanter thought about the conversion of the heir to the throne, James, duke of York, to catholicism, or the violent suppression of conventicles by another who had lived through the 1640s, John Maitland, duke of Lauderdale. If Smith did stop to reflect on where it had all gone wrong, his own 'great straites' would not have improved his mood. His last years were spent petitioning the king for money he had never received, mollifying creditors by selling off some of his lands and fending off an investigation into alleged mishandling of public revenues.⁵⁰

Competing Loyalties

The main beneficiary of Smith's political demise in 1646 was Archibald Tod, who took up the provostship in October. He could be seen as a more conventional representative of the Edinburgh political elite than either Smith or Stewart, his predecessor and successor respectively, although three of the four bailies elected that year were also committed Covenanters.⁵¹ Tod had first been elected to the council in 1622, and had served numerous times as a bailie and as dean of guild. His competitor for the top job, Edward Edgar, might nonetheless have seemed a more natural choice. He, too, had a long career stretching behind him, but he seems to have been more closely allied to the Covenanting regime, having served on the committee of estates, acted as a conservator of the peace and sat on the committees for processes, monies and excise. This was a remit Tod did not possess.

⁵⁰ NAS, RH15/110, Petition by Sir John Smith, 1674 [quotation]. *Edin Recs* 1655–65, 360. *Edin Recs* 1665–80, 260, 293. *RPCS*, 3rd ser., i, 202, 262, 324; ii, 170–71. *RPCS*, 3rd ser., iv, 151. *APS*, vii, 90. Stevenson, 'Financing the Cause', 119–20. The post of commissary general was difficult to fill after Hepburn of Humble's retiral in 1647.

⁵¹ Edward Edgar, John Jossie and Archibald Syderf were all committed to the regime, Appendix, Table 4.

Edgar had wider political interests, too. As well as being nominated to go with a number of leading Covenanters to speak with the king in July 1639,⁵² Edgar went on to act as a conduit of information from moderates operating within the English parliament. During the cessation of hostilities in 1646–47, Edgar seems to have been a part of the delicate web of negotiations going on in the British Isles to establish a permanent peace.⁵³ It was these connections which, while advantageous to Edgar in the wider political scene, actually told against him in Edinburgh. Without any firm associations, but a solid record of service, Tod was an ideal choice who might be better placed than Smith or Edgar to avoid yet more unwelcome attention from the Covenanting regime. Yet again, however, events would intervene.

In May 1646, the king, having run out of options in England, had surrendered to the Scots, but his refusal to come to a workable compromise with the Covenanters became increasingly embarrassing for the regime. Finally, in January 1647, a Scottish political nation which had seen the country devastated by plague and crippled by financial exactions, sent the king back where he had come from.⁵⁴ In return, the English agreed to provide £400,000 sterling for the payment of the Scots army during its occupation of the north of England⁵⁵. Edinburgh's commissioners played no particular part in this decision and spent the autumn trying to ensure that the burgh escaped punishment for communicating with Montrose (see above).⁵⁶ When council elections were held in September 1647, Edinburgh reflected the volatility of the political situation in Britain as a whole by electing the moderate Archibald Tod as their provost once again.⁵⁷ His main attraction appears to have been his continuing lack of ambition outwith the confines of Edinburgh politics. Although he

⁵² NAS, Letter, 16 Jul 1639, GD112/39/72/5.

⁵³ NAS, Letters from 'James Fenwick' to Edgar, February 1647, GD406/1/2207 and 2210.

⁵⁴ G. Wishart, *The Memoirs of James, Marquis of Montrose 1639–1650*, eds., A.D. Murdoch and H.F. Morland Simpson (London, 1893), 191. Young, *Scottish Parliament*, 162, 173–75. J. Turner, *Memoirs of His Own Life and Times, 1632–70* (Bannatyne Club, 1829), 43.

⁵⁵ M. Kishlansky, *A Monarchy Transformed: Britain 1603–1715* (London, 1996), 171. Stevenson, *Revolution and Counter-Revolution*, 79–80.

⁵⁶ The Act of Classes of 8 January 1646 provided a political framework designed to exclude 'malignants'. Young, *Scottish Parliament*, 141–42.

⁵⁷ *Edin Recs 1642–55*, 133.

attended the committee of estates in March 1647, he was not a member of parliament and did not contribute to the Covenanting regime in any other capacity. Perhaps some members of the political elite felt that Edinburgh was already heavily burdened and they wanted a provost who was more likely to put the town's interests ahead of the regime's—Tod was not one of the Edinburgh burgesses caught in Argyll's web of influence. As Argyll struggled to maintain his dominance of the political scene after the return of Hamilton from imprisonment in England, Argyll apparently attempted to have Tod removed from the provostship.⁵⁸ Tod's election may have been intended by the Edinburgh elite as a rebuff to the regime's most powerful figure.

The men who elected Tod in the autumn of 1647 could not have known that by the following spring, the Scottish commissioners to the English parliament would be returning home and the country would be preparing for a war on behalf of the king. The Engagement was presented to the Scottish parliament on 26 December 1647, despite a 'Warning' by the commission for the general assembly against any 'division and breach between the kingdoms'.⁵⁹ Tod led a town council which offered no protest against it. He was almost certainly supported in this by fellow-councillor and potential rival, Archibald Sydserf, who had conspicuously swung round behind Hamilton and the Engagement by at least March 1648. Town councillors, ever sniffing for a change in the way political winds were blowing, knew that debt-ridden Edinburgh was in no position to argue with Hamilton. Their pragmatic stance left them open to attack from some of the town's ministers, who began to organise nightly meetings in the Tailors' Hall early in March. These meetings culminated in a Declaration against the Engagement, submitted to parliament on 6 March by the Edinburgh minister, James Hamilton. Not all ministers were in agreement, however. At least three of Edinburgh's ministers did not publicly condemn the Engagement, and when one

⁵⁸ NAS, Lanark to Hamilton, 26 May 1646, GD406/1/1966. John Young claims Archibald Sydserf was re-elected. This is an error. Sydserf was nominated as a councillor in 1647 and as commissioner to the Engagement parliament in March 1648. The assertion that Argyll wanted Tod removed is presumably still correct (he supported the Engagement, Argyll led opposition to it) even if it pertains to the wrong man. Young, *Scottish Parliament*, 194. *Edin Recs 1642–55*, 132, 143.

⁵⁹ *Commission*, i, 148–52.

of them, Andrew Ramsay, was called before the commission for failing to do so, his supporters created a fracas outside St Giles' and the parliament house. Popular opinion, it seems, was no more homogeneous than that of the political elite.⁶⁰

Edinburgh's more radical ministers were supported in their efforts by three of Edinburgh's political elite, who presented a humble petition to parliament on this subject in April. John Smith, James Stewart and Laurence Henderson were conspicuous by their absence from the council chamber in 1647–48; Smith had bowed out of local politics after 1646, while Henderson's career appears to have followed Stewart's.⁶¹ The town council must have realised that by acceding to the Engagement, it had made some powerful enemies, amongst the political elite and the ministry alike, but it was clearly unable to act against these people. It concentrated instead on silencing those lower down the social scale; a personal insult against the duke of Hamilton, and two 'dispytfull and contimelious speeches' against the council may be related to its willingness to Engage for the king.⁶²

Despite much time 'spent in arguing'⁶³ during March, Hamilton's followers could not reconcile the kirk commission to the Engagement. As a result, attempts to raise an army may have been thwarted in many places, including the capital, by the church's official opposition to the levy. In May 1648, Edinburgh had called out all its male inhabitants aged between 16 and 60, 'to attend the calling of thair names'. Tod turned up, but he was accompanied by only 1,333 other men from the town, and another 781 from South Leith, North Leith and Canongate. The captain of North Leith blamed the former plague outbreak and the prospect of a new one, but the conclusion that there were only 2,115 adult males in Edinburgh and its pendicles is startling.⁶⁴ Had war and plague really devastated the

⁶⁰ NLS, MS.8482, f.63r. *Edin Recs 1642–55*, 149, 150, 403–4. *APS*, vi, pt.ii, 11–12, 14, 28. Stevenson, *Revolution and Counter-Revolution*, 99. *Commission*, i, 384, 393. See Chapter Two for clerical divisions over the Engagement.

⁶¹ *Edin Recs 1642–55*, 82, 103, 134, 171, 212. *Commission*, i, 452.

⁶² *Edin Recs 1642–55*, 152, 153, 154–56. *ECA*, SL1/16, f.274.

⁶³ NLS, MS.8482, f.41r.

⁶⁴ Edinburgh had petitioned parliament on the extent of their losses in 1647. *APS*, vi, pt.i, 810–11. *ECA*, Moses Bundle 31, no. 1278. A muster roll for Edinburgh in 1558 names 1,453 merchants, craftsmen and servants but it lacks the north-east quarter. Michael Lynch has estimated that the complete muster roll would have named somewhere in the region of 1,685 men. As the population had at least doubled between 1558 and 1648, this figure does seem extremely low. Lynch, *Edinburgh*, 9–10.

community to this extent, or were certain persons conveniently absent on the day of the muster? Were there people in the capital who believed they had given enough in the service of the Covenant, and were reluctant to give yet more for a king who was not, himself, Covenanted? What makes this development particularly striking is the enthusiasm with which Edinburgh had formed its own regiments during the earlier 1640s,⁶⁵ suggesting the likelihood that ideological motivations were at work. On 8 May, the council conceded that it was 'ane impossibilitie' to produce the 1,200 men requested of them by the government. Four days later, they agreed to provide £40,000 instead of the levy,⁶⁶ although it does seem that attempts were made to raise a regiment of horse by the college of justice in June.⁶⁷

Two sources confirm the idea that at least the levy, if not the actual Engagement itself, was highly unpopular. It had aroused enough opposition in Glasgow to warrant sending two colonels to suppress it, and by 2 June half of Glasgow's council had been incarcerated in the Edinburgh tolbooth.⁶⁸ In Edinburgh, the women, 'who carry a great Sway', were once again at the forefront. They swarmed onto the High Street and hurled abuse at members of the committee of estates going about their business. On 29 May, Tod himself came under attack 'so furiously, that he was forced to retire into his house for shelter, and for some days after kept within, and durst not appear'. The duke of Hamilton received similar treatment when he spurned the relative safety of a carriage to walk to parliament.⁶⁹ As in 1644 and 1637, the population of Edinburgh had once again resorted to expressing dissatisfaction with their councillors in dramatic fashion.

The Engagement was a *débâcle* which resulted in the surrender and eventual execution of Hamilton, and enabled a radical faction⁷⁰

⁶⁵ Furgol, *Regimental History*, 28, 50, 57–8, 124–26, 127, 133–34.

⁶⁶ *Edin Recs 1642–55*, 147–49. Edinburgh had also been exempted from quartering troops. *APS*, vi, pt.ii, 27–8, 66.

⁶⁷ There are no more details about the size of this regiment or whether it was actually raised. Furgol, *Regimental History*, 272.

⁶⁸ Young, *Scottish Parliament*, 206.

⁶⁹ Guthry, *Memoirs*, 272–73. Quoting George Gillespie, Stevenson, *Revolution and Counter-Revolution*, 99.

⁷⁰ Although called the Kirk Party by David Stevenson, Alan Macinnes claims this term 'obscures the basic continuity of the radical mainstream between 1638 and 1651'. John Young calls them the 'radical regime', but I have opted for 'radical faction' as it conveys the idea of a narrow support base and makes a distinction with earlier discussion of a regime that was essentially founded on a coalition of

of Covenanters headed by Argyll to seize power on 5 September 1648, with the backing of Oliver Cromwell. In the early stages of a *coup* that brought the country to the brink of civil war, Edinburgh showed it was not willing to become the front line in a battle between the rump of the Engager party and the Whiggamores from the west country. Archibald Tod took no sides, by resisting both the former regime's request to garrison Edinburgh Castle and Lord Chancellor Loudoun's demand for a regiment, although the council had to concede to the latter demand on 9 September.⁷¹ Meanwhile, James Stewart made himself useful to the radical faction as a go-between with the town of Edinburgh.⁷² A month later, an order was issued for the immediate removal of disbanded Engager soldiers who were allegedly committing 'divers disorders and Insolencies' in Edinburgh, but the provost and bailies had to be specifically instructed to 'take special care' with what should have been a matter of their own security.⁷³ There was evidently still a danger that the Engager rump would try to seize the capital.

The ruthlessness with which the embryonic regime subsequently purged the town council of former Engagers was unparalleled. Unlike the royal nominations of 1634 or 1637, the radical faction's disregard for Edinburgh's usual forms of election suggests that the exercise was as much about humiliation as political expediency. The council had evidently tried to go ahead with its elections undeterred, and Tod had been placed on the leet. Under extreme pressure, Tod, the four bailies (although, in an error, only three were named) and the deacon of the skimmers, Robert McKean, 'removed themselves furth of the Counsell hows' to avoid 'any danger in thair bodies or estaites'.⁷⁴ Their precarious position was underlined by the presence of Oliver Cromwell himself in the Canongate and, just to reinforce this, the town council were pushed to nominate William Dick as their old provost, and send him, with four old bailies, to meet Cromwell on 6 October.⁷⁵ An admission by the council that there

interests. Stevenson, *Revolution and Counter-Revolution*, ch. 4. Macinnes, 'Scottish Constitution', 107. Young, *Scottish Parliament*, ch. 9.

⁷¹ *Edin Recs 1642-55*, 165-66.

⁷² Young, *Scottish Parliament*, 210, 215. *Edin Recs 1642-55*, 161-65, 167.

⁷³ NAS, Order, 5 October 1648, PA7/5, no. 35.

⁷⁴ *Edin Recs 1642-55*, 170-72.

⁷⁵ Tod was unable to act as old provost, but it is interesting that Dick, rather

was 'some difference betuix the Committee of Estaites and the present Counsellors and Magistrattis' must have been euphemistic indeed.⁷⁶

The dispute over Edinburgh's elections took twelve days. There is little doubt that Stewart was the choice of the new regime. He had helped the clergy in their opposition to the Engagement in August and advanced money to the radicals before the *coup*. To recompense him, the radical faction gave him the positions of commissary general, in place of Sir John Wemyss of Bogie, and treasurer of the excise, which he had previously lost to the Edinburgh merchant, John Jossie, for opposing the Engagement.⁷⁷ Stewart was probably not the choice of the capital's political elite.⁷⁸ When he became provost, Stewart had sat on the council only three times, while the magistrates from the previous year found themselves completely ostracised from the council chamber. This was clearly a departure from the type of councils which had been sitting since 1638, when political moderates had continued to sit alongside their more radical colleagues. On the other hand, the significance of the election in terms of the social makeup of the council should not be exaggerated. Although Margeurite Wood points out that only four of the councillors sitting in 1648 had sat in 1647, this figure appears unusual only because the magistrates customarily took a seat as an ordinary councillor.⁷⁹ It also seems that the bailies of 1648 were no more or less experienced than the bailies of 1647. Nor do their social credentials appear to be noticeably different from those of magistrates in previous years.⁸⁰ Even the radicals were wise enough to know that

than Smith, was picked. The old council were sometimes called upon to act to give support to the new council, most usually around election time. *Edin Recs 1642-55*, 172.

⁷⁶ *Edin Recs 1642-55*, 171. ECA, SL1/17, ff.38, 50.

⁷⁷ *Commission*, ii, 8, 27. Stewart had been removed from the treasurership of the excise for opposing the Engagement and had been replaced by Jossie, Stevenson, 'Financing the Cause', 113-14.

⁷⁸ He had also irritated the college of justice over the revival of the Annuity Tax. NLS, Adv.Ms.22.2.10, ff.164r, 166v.

⁷⁹ Assuming that all five magistrates took a council seat the following year, and that all the new magistrates had been councillors the previous year, this meant that seven seats were made available. If two of those were new councillors, this left only five places which members of the previous council could occupy. *Edin Recs 1642-55*, 174.

⁸⁰ It seems not uncommon in this period to have one experienced councillor as a bailie, with three others who were less so. All the bailies in 1648 were burgesses and guild brethren. Although family relationships are hard to trace, the occurrence

foisting men with no social or political credibility onto the council would be more trouble than it was worth, and so suitable candidates (and with men like Roughead, there were always suitable candidates) had to be found from within the political elite.

The implications of the radical faction's interference in the council's elections went beyond the burgh itself. Although the town council willingly disclaimed the Engagement, and summoned 388 of the neighbours to do likewise just to prove that most of the people who counted agreed with them,⁸¹ the burgh's political position had been seriously undermined. Others grabbed the opportunity to push their own agendas. A proposal to alter the distribution of the monthly maintenance in favour of the western shires, at the expense of the eastern shires, prompted the walk-out of half the parliament for a fortnight in August 1649. Edinburgh was specifically targeted by a convention of the royal burghs, which moved to raise Edinburgh's contribution of the burghs' share of the tax to 36 percent.⁸² James Stewart's lengthy objections to the new valuations were swept aside with eloquence by the commissioner for St Andrews, who maintained that Edinburgh 'hes had the greatest ease theis sextie yearis bygane to the heavie prejudice of the rest of the burrowis'.⁸³ On the other hand, it is evident that Edinburgh as a community was too important to punish wholesale. In September 1648, the radical faction nominated six Edinburgh burgesses to be non-commissioned members of the committee of estates. There is no surprise in seeing William Dick, James Stewart or John Smith there, but it is interesting that James Roughead was also nominated.⁸⁴ As usual, Roughead had managed to show that any regime, whatever its ideological leanings, could make use of him.

of the same surnames in an earlier generation of councillors suggests that the 1648 magistrates were not the social inferiors of their 1647 counterparts.

⁸¹ This figure would account for about one-quarter of the freeman population during the 1630s, but may be much more than this depending on how many burgesses were killed by war or plague. MacMillan, 'Edinburgh Burgess Community', 33, 36. *Edin Recs 1642-55*, 175-78. ECA, SL1/17, f.61.

⁸² *RCRB*, iii, 332.

⁸³ *APS*, vi, pt.i, 491-92. *APS*, vi, pt.ii, 530. Young, *Scottish Parliament*, 235. Stevenson, *Revolution and Counter-Revolution*, 154. Stevenson, 'Financing the Cause', 117. *RCRB*, iii, 332, 336-38.

⁸⁴ The other two were Laurence Henderson and David Wilkie, bailies. These were men who had not been named in the original commission for the establishment of interim committees after the closing of the previous parliamentary session. Young, *Scottish Parliament*, 215-17. *Edin Recs 1642-55*, 174.

The radical faction needed Edinburgh's burgesses politically because their support base was so limited, but they also could not ignore their primary creditors. Considerable attention was given to the town's affairs in the parliamentary sessions of 1649, indicating that Edinburgh had been at least partially rehabilitated. As an act of March 1647 showed, William Dick, James Stewart and indeed, anyone else who was owed large sums by the estates, had a vested interest in upholding the legitimacy of the radical faction's regime—otherwise they might never see their money again. The estates were also collectively indebted to the town, and the political security of Stewart and his ilk within Edinburgh itself was also partly dependent on their ability to get some of that money back. In March 1649 the estates acknowledged that they would have to find some 'effectuall meane' to pay back a bond in the town's name worth over £146,000 Scots. Consideration was also given to the repayment of debts pertaining to the college and the trustees of Heriot's Hospital but, with such large sums outstanding, the public purse was simply not deep enough to meet the claims.⁸⁵

Stewart, in particular, may have been using his influence with the Covenanting regime to secure his own financial interests. This could have contributed to the problems Stewart would later encounter in his political career. In 1642, Stewart had made himself useful to the regime by providing the Scots army in Ireland with victual. In theory, this was a profitable exercise, provided meal could be bought at a cheaper price than the sale rate he had already agreed with the government. Even if high purchase prices made this impossible, the Covenanters recognised that if merchants could not make money, they would not supply the regime; Stewart was handsomely compensated in that circumstance.⁸⁶ During the later 1640s, as tacksman of the customs and excise, the accounts again point to Stewart's habit of using his office to ensure that if anyone ended up out of pocket, it would not be him. By 1648, Stewart had received £64,800, paid to him by the committee for both kingdoms sitting at Goldsmiths' Hall, London, plus a further £10,000 out of the fine of the convicted malignant, James Johnstone, earl of Hartfell. Another £52,800 was assigned to him by Hamilton in lieu of payment by the public.

⁸⁵ *APS*, vi, pt.i, 238–44, 264–66, 811.

⁸⁶ *RPCS*, 2nd ser., vii, 225, 321, 356, 365; viii, 90.

He paid himself another £15,033 in 1649. Although these sums did not meet Stewart's total bill of £225,712, the committee of estates took action in July 1649 to pay Stewart (and John Smith) out of the wine excise for 1649–51.⁸⁷ Stewart was not doing anything corrupt, but his regard for his own interests, especially when the regime was indebted to other Edinburgh merchants, may have made him unpopular.

At the highest political levels, events outwith the kingdom were dictating political developments within it. The exclusionary legislation embodied by the 1649 Act of Classes, although not as punitive as the 1646 version on which it was based, reveals a fragile government with a limited support base at all levels of society. With the judicial execution of Charles I, the radical faction found itself further isolated within Britain, facing the threat of 'Cromwellian imperialism' and a royalist uprising, while also conducting negotiations with Charles II.⁸⁸ The social tension which resulted is apparent in contemporary sources. 'Sin and filthines' were everywhere to be seen in Edinburgh, while God's anger manifested itself in an upsurge of witchcraft, malignancy and religious deviancy.⁸⁹ For the radical minority, it was the presence of Charles II in Scotland which was polluting their religious purity. Even after he had reluctantly signed the Covenants, there was an awareness that it had been done out of expediency. Amongst the population at large, however, interpretations of the Covenants were probably not so strict—they were, after all, intended 'to maintaine the King's Majesty's Royal Person and Authority'.⁹⁰ Having failed in their duty towards one Charles, some may have optimistically hoped to serve another. The town council showed their 'humble respects and loyall affectiounes' by giving their king a gift of over £13,000 Scots and hosting a banquet

⁸⁷ NAS, E73/12/1; PA7/6, Act on the Excise, no. 96; PA15/9, ff.3v, 4r, 4v. There is no record of Stewart receiving payments in Smith's account of the excise, PA15/12.

⁸⁸ The first Act of Classes was passed in 1646, to exclude Montrose's supporters from office. It was revised to match the new situation after September 1648. A royalist resurgence under Montrose was defeated at Carbisdale in April 1649. He was captured and executed, despite the efforts of Charles II, shortly thereafter. Cowan, *Montrose*, 288–94. Young, *Scottish Parliament*, 215, 221–22, 244.

⁸⁹ Nicoll, *Diary*, 3–4.

⁹⁰ Alexander Jaffray, provost of Aberdeen, acknowledged this in later years. Referred to in Stevenson, *Revolution and Counter-Revolution*, 170. *Scottish Historical Documents*, 198.

in his honour.⁹¹ Such was Charles's popularity when he was in Edinburgh during the summer of 1650, that bells were rung, bonfires lit, and people danced 'almost all that night throw the streitis'—little wonder that the anxious radical faction hustled him out of town as quickly as possible.⁹²

The political ramifications of a confused diplomatic situation are hard to trace for Edinburgh in 1649–50. Stewart was re-elected as provost in the autumn of 1649, and particular care was taken to ensure that the correct procedures were observed.⁹³ Apart from the continued absence of the provost and bailies of 1647–48, the council was staffed largely by men who had been active throughout the 1640s, such as William Dick, George Suittie, John Binnie, James Roughead and Peter Blackburn.⁹⁴ Stewart's position was politically precarious, however, not only because he disapproved of negotiations with King Charles, but also because his own financial interests were at odds with his responsibilities towards the burgh. When Stewart resolved 'with himself' to ask the committee of estates for a new imposition on wines, liquor and tobacco, he was still the government's chief financial officer and one of its main creditors. The town council approved of the 'faithfull carieage and behaviour' of both Stewart and the other representative to the parliament, James Borthwick, but the wider population were unlikely to have been so appreciative of higher duties on these goods. A combination of pressures probably contributed to Stewart's attempts to resign these positions early in 1650.⁹⁵ Only one voice expressed dissatisfaction with Stewart, however, and that person was not an Edinburgh inhabitant. James Turner (no friend of the Western Association) cattily remarked that the provost of Edinburgh was one of the 'leading men' who received some of the 'privately dispersed' money from the English parliament—an allegation that the regime's accounts suggest had some basis in truth.⁹⁶

⁹¹ ECA, Town Treasurer, vi, Account 1649–50, ff.41–6, 47. *Edin Recs 1642–55*, 242–44.

⁹² Stevenson, *Revolution and Counter-Revolution*, 169–172. Lamont, *Diary*, 19. Nicoll, *Diary*, 16.

⁹³ *Edin Recs 1642–55*, 212.

⁹⁴ The aging and notorious nonconformist, John Mein, may also have been elected to the council for the first time, although it may have been a younger relative, *Edin Recs 1642–55*, 211.

⁹⁵ *Edin Recs 1642–55*, 193–94, 195. Stevenson, 'Financing the Cause', 119.

⁹⁶ Turner, *Memoirs*, 51–2. Guthry, 258, 272. Negotiations with Charles had been

The English Invasion

Any political divisions which might have existed in Edinburgh were rendered irrelevant after General David Leslie's purged godly army snatched defeat from the jaws of Cromwell's outnumbered force of exhausted, poorly supplied troops at Dunbar on 3 September 1650.⁹⁷ The fortification of the town and its port of Leith had been under-way since the spring of 1649. In July 1650, the problem was so pressing that, at the insistence of the committee of estates, all the town's shops were shut up, so that 'all the inhabitants . . . men and woemen that are able to worke' could participate in preparing the town's defences.⁹⁸ At the same time, Edinburgh was asked to erect 'a beacon upon the top of Arthurs Seat' to warn of the approach of the English forces. Meanwhile, the church fretted less about invasion than the people allowed to serve in the king's household. In August, the committee, which was surely busy with far more important matters, received a remonstrance demanding that only those 'well affected to the Cause and not scandalous'⁹⁹ attend the king.

A sense of panic pervades these sources. General George Monck's unfavourable opinion of the state of Edinburgh's defences must have been shared by many of the inhabitants, who 'removed thair best guidis' and fled over the Forth, to the irritation of the council. Houses were being demolished around the town's walls to prevent the English using them to shelter from the Scottish cannons. Edinburgh was also bearing the burden of supporting the army, despite the fact that 'all soirt of viveris, meit and drink, could hardlie be haid for money' in the town. Once Cromwell entered the town, skirmishing broke out between those still defending the castle and the English, resulting in 'great numbers' being 'slayne'. Although the castle held out until 19

suspended by the English parliament in January and the army was publicly demanding a trial by April. That at least some of the promised £400,000 arrived in March 1648 suggests that the English intended to keep the Scots out of the picture. D.L. Smith, *A History of the Modern British Isles 1603–1707: The Double Crown* (Oxford, 1998), 135. *Government under the Covenanters*, 196–97.

⁹⁷ Macinnes, 'Scottish Constitution', 127. J.D. Grainger, *Cromwell Against the Scots 1650–52* (East Linton, 1997), 41–50.

⁹⁸ NAS, Scots Parliament, 1633–52, GD1/1302/1, p. 130. ECA, SL1/17, f.129. *Edin Recs 1642–55*, 196, 244.

⁹⁹ NAS, GD1/1302/1, 129, 143.

December, the town itself gave little resistance. Even before Cromwell entered the burgh on 7 September, it had been 'left desolat'.¹⁰⁰

Members of the town council were not the first to leave the burgh, but they do seem to have departed with unseemly haste as soon as news of the defeat at Dunbar reached their ears. On 2 September, the council was as yet unaware that their last act would be the restoration of a merchant burgess who had been stripped of his status for criticising the council around the time of the Engagement.¹⁰¹ Over a year later, when Lieutenant-General John Lambert was deliberating on how Edinburgh would be governed, some issue was made about the town council's speedy exit prior to the occupation of the burgh. Stewart produced a letter, dated 5 September 1650, which showed that the committee of estates had given permission for the provost to leave Edinburgh if there was any likelihood that he would 'come under the Enemies power'. When Stewart asked to return on 27 September to hold elections, the commission of the general assembly told him this would be 'unexpedient and dangerous' and he should 'attend upon a better tyme from the Lord'.¹⁰² While Stewart could quite legitimately claim that he had acted at the behest of the country's leadership, in the belief that this was the best course of action, it is unlikely that the abandoned inhabitants felt the same way.

It is debatable whether Stewart could have done anything to prevent the destruction wrought on the town by hungry, mutinous English soldiers during the winter months of 1651. Despite considerable efforts by the English commanders to maintain discipline, houses were plundered, people maltreated in the streets and markets ransacked.¹⁰³ The town's churches, the goldsmiths' booths, the weigh-house and the tolbooth, where the council sat, were particular targets for looting and ransacking.¹⁰⁴ It was May 1652 before the cloth which covered the town council's table was repaired, after it had been riven in two by English soldiers fighting with one another to take possession of it.¹⁰⁵ There is some suggestion that the town

¹⁰⁰ *Edin Recs 1642-55*, 244-45, 259, 260. Nicoll, *Diary*, 19, 23, 26-8, 35 (misnumbered as 33).

¹⁰¹ *Edin Recs 1642-55*, 153-56, 173, 261.

¹⁰² *Edin Recs 1642-55*, 263-64. *Commission*, iii, 70-1.

¹⁰³ Nicoll, *Diary*, 35 (misnumbered as 33).

¹⁰⁴ ECA, Town Treasurer, vii, Accounts 1650-51, 1651-52.

¹⁰⁵ ECA, Town Treasurer, vii, Account 1651-52, f.13.

council had tried to continue its business. A note in the treasurer's accounts stipulates that 'twa small coffers' were taken to the charter house to preserve them 'quhen there was none of the townes auditors to be faund here', indicating that key members of the town council had abandoned Edinburgh as the English approached. It continues:

upone the hearing of the deffaite of our armie at Dunbar, and th[e]r[e]after upone the returne of the Ingliche airmie, and entering of this Cittie, the charterhous being brokin up by them, the forsaide tua little coffers with the wholl money and peapers therinto was all takin away and so lost. The goud townes pairt of the moneyes propertie belonging to them (besydis the comptars awin money there) extended to the sowme of fourteine hundreth threttie six pundis.¹⁰⁶

The town's misfortunes were compounded by the terrible sacking of Dundee at the end of August, where many Edinburgh inhabitants had fled with 'gold, silver, jewels and merchant wares'¹⁰⁷ in their possession. In comparison to the atrocities that occurred there, the capital escaped relatively lightly.

The English occupation destroyed the Covenanted regime, which to all intents and purposes ceased to exist when the rump leadership was almost literally caught napping at Alyth, near Dundee, on 28 August. Meanwhile, the breaches which had been exposed within the church by the declaration of Charles II, and intensified by the English invasion, rendered the general assembly as good as impotent. At local level, the power vacuum generated by the collapse of the regime was rapidly filled by the English military. Their prime concern was the creation or reform of administrative structures enabling the collection of taxation—someone had to pay for the subjugation of the Scots, and the Scots themselves were the most obvious candidates. Edinburgh was assessed at £554 8s 10d sterling monthly (approximately £6,648 Scots)—a small increase on pre-invasion taxation.¹⁰⁸

In order to collect these sum efficiently, the English military command occupying Edinburgh entered into negotiations with its leading citizens to re-establish the town council. The process, in Edinburgh

¹⁰⁶ ECA, Town Treasurer, vi, Account 1649–50, 86.

¹⁰⁷ Nicoll, *Diary*, 62. Lynch 'Introduction' in *Early Modern Town*, 6–7.

¹⁰⁸ F.D. Dow, *Cromwellian Scotland 1651–60* (Edinburgh, 1979), 24.

as elsewhere, was fraught with difficulties.¹⁰⁹ An attempt to reconvene the council failed in November 1651, when Lambert nominated himself as governor in place of a provost and reserved the right to name two of the bailies and five of the council. It is clear that both the issue of the council's 'old rites and customs' and the oath of loyalty to the English regime had troubled some former councillors. Fearing that the English would simply lose patience and appoint whomsoever they thought fit persuaded most to agree to an election early in March, but disputes regarding how the election would be carried out arose, delaying the process yet further. A number of former councillors continued to express their dissent either by publicly refusing the oath, or by simply failing to attend. They were duly removed, but most thought that it was better to participate rather than have Englishmen running the Scottish capital's affairs.¹¹⁰

It was at this point that resentment against Stewart publicly manifested itself, as a campaign to prevent him regaining the provostship gained momentum. Although he was evidently in town at the end of December 1651, Stewart was not amongst the small delegation sent to petition the English commissioners for the restoration of the council in January 1652. The council of 1649 was clearly being excluded. Two bailies from the previous year's council, James Roughead and David Wilkie, were selected to go, along with man who had been ousted from the provostship after the Engagement, Archibald Tod.¹¹¹ Two schools of thought appear to have existed. Although Stewart had not shown unmitigated support for the radical clergy's rejection of an accommodation with Charles II, he was still considered a friend of the church. Their fervent campaigning on his behalf may have been something of a mixed blessing; the position taken up by this party, known as the Remonstrants, left them open to accusations of causing unnecessary 'faction and division'.¹¹²

To Remonstrant eyes, Archibald Tod's acceptance of the Engagement made him a Malignant, but to a wider political world with less demanding religious expectations, he was undoubtedly preferable to Stewart. There is a fragment of a memoir which hints that

¹⁰⁹ S.M. Gillanders, 'The Scottish Burghs during the Cromwellian Occupation, 1651–1660' (PhD thesis, Edinburgh, 1999), ch. 2.

¹¹⁰ *Edin Recs 1641–55*, 270, 271. Nicoll, *Diary*, 87.

¹¹¹ *Edin Recs 1642–55*, 265–66.

¹¹² 'Memoirs of the civil war by James Burns' in *Historical Fragments*, 16, 19, 20, 23.

while Stewart was making himself amenable to the remnant of the Covenanting regime, Tod was more usefully employed in Edinburgh. Being one of the 'most wise' who did not flee the town, Tod was principal amongst those who convened 'some of their neighbours, and chose commissioners to treat with him [Tod] as to the safety of the town' at the end of 1650. This is confirmed by an act of April 1653, which ratified the actions of a committee set up when the town found themselves 'deserted of their Magistratts and ministeris'. The first name is Tod's, followed by George Suittie, who had been dean of guild for seven consecutive years before the English invasion. Tod's burial monument also alludes to his efforts on behalf of the burgh during this period, by suggesting that he had been most active in thwarting the English army's endeavour to 'kill, burn, and sack' everything in sight. By remaining to give 'some publict face of government' when others had looked to their own interests, Tod became the hero of the hour.¹¹³

Between the first mention of a new election on 5 December 1651 and the election of 4 March 1652, there was considerable traffic on the road from Edinburgh to the English commissioners stationed at Dalkeith. One commissioner, John Denholm, who had been active in Covenanting government, made himself conveniently absent when requested to take on this duty. He returned shortly after to agitate against the process; no doubt this would have been rendered somewhat difficult if he himself had brought the commission for an election back from Dalkeith. At this point, Stewart was not attending council meetings, being otherwise occupied with a protestation which he presented on the day of the election.¹¹⁴ Fearing that a new election might oust him, Stewart moved to have the English commissioners brought into the process. It was presumably a delaying tactic, aimed ultimately at gaining a nomination directly from them. In this he appears to have been supported by four others who had little or no history of council membership before 1648 or 1649.¹¹⁵ Another

¹¹³ 'Collections by a private hand at Edinburgh from 1650 to 1661', in *Historical Fragments*, 29. *Edin Recs 1641-55*, 310. Brown, *Epitaphs and Monumental Inscriptions*, 107-8.

¹¹⁴ 'Collections by a private hand', 41. *Edin Recs 1642-55*, 262, 265-68, 269, 270-72.

¹¹⁵ His supporters were Robert Foulis, John Denholm, David Kennedy and James Lawson. *Edin Recs 1642-55*, 271.

protestation, which was rejected 'because not subscriyved', was handed in by Alexander Brand and Robert Acheson. It claimed, 'in name of the nightbors' who administered the burgh in the council's absence, that they should have a say in the election.¹¹⁶ In the end, the old council replaced the voices of the dissenters in order to draw up leets for a new council, and an election took place.

Tod was elected provost, with William Dick acting as old provost in place of the dissenting James Stewart, but the full details of the election do not appear in the minute book for another forty-five days. Two things intervened. The council had to nominate a new clerk and, not surprisingly, one of Tod's pre-Engagement cronies, William Thomson, who had also been responsible for finally acquiring the commission for an election, was put into this post.¹¹⁷ The protestations were not yet over, either. Although Stewart seems to have retired (temporarily) from the fray, two of the present council were still resisting. John Liddell had been treasurer in 1649 and was 'something unsatisfied' with the process, although his feelings on the matter had remained private until 7 April. A delegation sent to speak with Liddell clearly had no luck in persuading him otherwise. David Kennedy, who had been part of the Stewart campaign team, had still made it onto the council but was 'altogether refuseing' to take his seat.¹¹⁸ The election had been one of the most divisive in the town council's post-Reformation history, with seven official protesters and nine absentees meaning that nearly half the council had to be replaced. Nonetheless, attempts had been made to accommodate those who had objected. On 10 December, when the new councillors were nominated, three protesters were amongst them. One refused, one disappeared from the official records, but one, Andrew Bryson, took his seat.¹¹⁹ The intention was clearly the restoration of that fundamental tool of government, unity—even if it was palpably superficial.

¹¹⁶ Brand was the merchant mentioned above whose burgess-ship had been removed for speaking against the council around the time of the Engagement.

¹¹⁷ Thompson had been removed in October 1648 in the aftermath of the Engagement. He took the blame as he had been the one to record its acceptance! *Edin Recs 1642–55*, 176, 177, 269–270, 272. 'Collections by a private hand', 41.

¹¹⁸ *Edin Recs 1641–55*, 213, 275. ECA, SL1/17, f.303–4.

¹¹⁹ The protestors were James Stewart, Robert Foulis, John Denholm, Andrew Bryson, James Lawson, David Kennedy and, after the election, John Liddell. The three protestors offered a place were Bryson, Kennedy and Lawson. ECA, SL1/17, f.291, 303–4.

During the 1650s, the council's political liberties were undermined by the occupying English army and elections were not held regularly. Stewart consequently remained provost until October 1655, when the council was finally allowed to hold elections, after complaints that the bailies could not endure the financial burdens any longer. Andrew Ramsay, a man who would go on to be one of the dominant personalities of Restoration Edinburgh, replaced him. Tod remained on the council until his death later that year, while his son-in-law became dean of guild.¹²⁰ Neither unpopularity nor electoral defeat were an obstacle to Stewart's future political career, however. He sat on neither of the councils elected in 1656 or 1657, but in 1658 Stewart, amid much intrigue, regained the post. When he was re-elected in 1659, two fellow-protesters from the previous decade became bailies, although he still had to contend with two of Tod's relations by marriage, John Jossie and David Wilkie.¹²¹ Stewart's victory proved to be of short duration. Effusive expressions of gratitude for the king's restoration did not prevent the provost of Edinburgh being temporarily imprisoned in the castle in July 1660, perhaps because Charles II had conceived a personal dislike of him while in Scotland. He was still there in November, when he formally demitted 'the place of old Provest', thereby effectively retiring from Edinburgh politics. Although nominated as a justice of the peace for Linlithgowshire (where he held the lands of Kirkhill) in 1663, what probably turned out to be Stewart's final years were dogged by ill health and the scandal of his daughter's illegal marriage.¹²²

The Stewart-Tod rivalry was not purely about personalities. It embodied a deeper concern, about the independence of the burgh's political system and the best way of maintaining the burgh's interests. Central to these concerns was the election of the magistrates, particularly the provost, whose influence both within the council chamber and beyond was supposed to be used for the good of the wider community. If it was perceived that this was not the case, breaches within the political elite could emerge. Unity was imperative to good government in early modern thought,¹²³ both within local bodies, and in their relations with those above and below them.

¹²⁰ *Edin Recs 1642–55*, 350, 385, 386.

¹²¹ *Edin Recs 1642–55*, 119, 165. *Edin Recs 1655–65*, 37, 70, 119, 165.

¹²² *Edin Recs 1655–65*, 206, 221. *RPCS*, 3rd ser., i, 138–40, 474.

¹²³ Patterson, 'Conflict Resolution', 3–8.

Ideally, Edinburgh town council wanted the assistance, not the interference, of higher powers, which was exactly the state of affairs that prevailed during the early 1640s. Without the millstone of ideology around their necks, councillors were free to pursue the chief function of their office, the protection and enhancement of Edinburgh's economic and political primacy within Scotland.

Edinburgh and the Covenanted Regime

The period from 1638 until 1646 saw a brief flowering of Edinburgh's political independence. Not all Scottish burghs had this experience. Aberdeen had to be stamped on repeatedly to conform to the Covenant in the first place, while Glasgow suffered greatly for its tolerance of Montrose. Many smaller burghs may have resented the increases in taxation, for no discernible reward, while also being forced continually to send representatives to interminable sittings of committees which seemed to want only money from them.¹²⁴ In Edinburgh, widespread support for the cause engendered almost unwavering political loyalty to the regime, which was happy to let Edinburgh get on with its own affairs provided the money kept coming in. Part of the town's problems in the 1620s and 1630s had been a palpable discord between a significant minority of the population and the council. Once Edinburgh's name was officially appended to the Covenant, harmony was theoretically restored,¹²⁵ and a mutually beneficial relationship naturally developed between the organs of national and local government.

There is no doubt that Edinburgh's 'charitie'¹²⁶ was absolutely essential to the survival of the fragile Covenanted regime. Without it, the entire experiment would have imploded as soon as Charles mustered an army. Their investment had its rewards, by enhancing

¹²⁴ Stevenson, *Scottish Revolution*, 196–97. Stevenson, 'Burghs', in Lynch (ed.), *Early Modern Town*, 179, 182, 185. Cowan, *Montrose*, 65, 69, 71–79. DesBrisay, "'The Civill Wars'", 247, 249–53, 254–56, 256–60.

¹²⁵ In practice, ministers were ejected from their livings and those who had not signed were hounded by the more zealous. The main source for this is David Mitchell's letter to the bishop of Raphoe, NLS, Denmilne Papers, Mss.33.1.1, vol. 12. Nicoll also recorded that one man who had consistently refused to sign the Covenant was not allowed to be buried in the churchyard at his death, Nicoll, *Diary*, 8.

¹²⁶ NAS, 13 Aug 1640, GD112/39/81/7.

the status of Edinburgh itself and its leading citizens. For the first five years or so, before the outbreak of civil war within Scotland tested loyalties, Edinburgh possessed an unparalleled political profile. As well as providing revenue, Edinburgh also acted as the spiritual guiding light for the rest of the country, placed its valuable channels of communication with Dutch and English merchants at the disposal of the Covenanting regime, and contributed heavily to the bureaucracy of government by providing some of the best commercial and legal brains in Britain. The status which Edinburgh enjoyed in the early 1640s would have been difficult to imagine under the absentee Stuart monarchy.

War made this situation inherently unstable, as it did across the British archipelago.¹²⁷ As the regime struggled to maintain its influence within the monstrously complicated British political scene,¹²⁸ so its own vulnerability was made manifest. Civil war within Scotland forced difficult choices on troubled men, and suddenly the need to secure Edinburgh became a political issue again. Faction permeated the council as the ideological agenda of men like John Smith or James Stewart collided with the interests of the burgh as an economic entity. The intentionally vague concepts presented in the Covenant had initially united men who saw that their religion and their kingdom were under threat, but once the immediate military threat posed by England had waned, difficult questions began to receive an airing. Those who emphasised the need for a workable accommodation with the king, found themselves at odds with men who believed that God's word could never be compromised. This fundamental dichotomy was at the heart of the Covenanting movement's internal struggles right up to, and beyond, the English invasion. While there was certainly awareness of this issue at local level, not all debate was determined by it. Ideology was at work in Edinburgh, but the way in which Scotland's most powerful men related the capital to their own struggles was unlikely to be the determining factor in how the burgh community saw itself.

¹²⁷ For an example of the royalist-parliamentarian factionalism afflicting English towns, see Johnson, 'Politics in Chester', in Clark and Slack (eds), *Crisis and Order*, 204–9, 212–14.

¹²⁸ A good, concise overview of the complicated interaction of the three kingdoms is Kenyon with Ohlmeyer, 'The Background to the Civil Wars' in Kenyon and Ohlmeyer (eds), *The Civil Wars*, 3–40.

Fragmentary evidence suggests that, during the later 1640s, the people with the most interest in shackling Edinburgh's political processes to their own cause were the radical clergy. John Smith and James Stewart were supported by the ministers because they believed that the civil magistrate was put on earth to support the godly, and that these men fulfilled that requirement. Their rigid agenda was probably not supported by the wider community, whose livelihoods were being destroyed by the regime's military commitments across the three kingdoms. Edward Edgar was a staunch Covenanter, but the effect on his material wellbeing is hinted at by his tax assessments—he was valued at over three times the average stent in 1642, but this had fallen to just under half the average in 1649. It is worth re-emphasising that it was the *merchants and trades* who had resisted Smith's re-election in October 1646, while the clerics had supported it. The inference here is that Smith had become associated with a political faction, or perhaps a political ideology, which was perceived by his peers as being inimical to the basic duty of protecting Edinburgh's interests.

External interference in burgh politics reached its climax after the Engagement. It surpassed even Charles I's attempts to control the provostship, by specifically rejecting a particular person, rather than simply nominating another without overt criticism of the incumbent. Stewart was probably a little less repugnant than Hay because he was actually a merchant burgess, but it is abundantly apparent, from the ferocious scramble for power which occurred in 1652, that Edinburgh's political elite wanted to make a point. Given that the country was under military occupation, this insistence on respecting now meaningless privileges seems irrelevant. Yet the town council did still exist and it still dealt with all the aspects of urban life it had always passed judgement on; the only difference now was that it deferred to an English commander, instead of a committee or a king. Legitimacy, authority and status were still very much live issues, perhaps more so because of the indignity of military rule. In the election of 1652, the political elite were determined to prove to the community they governed that they were not mere pawns of the English. No doubt Lambert had absolutely no interest in who was provost as long as a big bag of money was handed to him every month, but for those who had survived the later 1640s, Tod's victory was also a victory for the ancient privileges and customs of the burgh. Ultimately, although nobody knew it at the time, those

privileges and customs would show a 'remarkable resilience',¹²⁹ surviving in a meaningful way for much longer than a failed Covenant, an English occupation, or even the Stuart dynasty itself.

¹²⁹ Stevenson, 'Burghs', 187.

CONCLUSION

EDINBURGH AND THE BRITISH CIVIL WARS

In 1652, Lowland Scotland had been devastated by an occupying English army. Many of the burghs around the Forth had been ransacked, with significant buildings such as parish church and tolbooth particular targets. Soldiers, both Scots and English, were quartered on communities which were ill-equipped to sustain them. Corn and livestock had been confiscated or destroyed, thereby exacerbating the high food prices and shortages which afflicted much of the country from the late 1640s. On top of this, a crippling level of taxation was imposed in order to pay for the military regime. International trade probably made a partial recovery during the 1650s, but it is still likely that 'little of lasting economic benefit was achieved in the 1650s'. The English may have brought order and stability after several years of turmoil but it was, nonetheless, founded on the chaos of military subjugation.¹

Outside the houses of parliament at Westminster stands a statue of Oliver Cromwell, commemorating the triumph of parliamentary constitutionalism over tyrannical monarchy. No such statue is ever likely to appear in Dublin or Edinburgh, where Cromwell's name is associated with ruthless conquest. Whatever one's position on Cromwell's role in English history, he was undoubtedly a man of profound religious belief whose vision of an Elect nation justified, for him, the elimination of that man of blood, Charles Stuart. In Scotland and particularly in Ireland, Cromwell's pragmatism, not his

¹ G.R. DesBrisay, 'Authority and Discipline in Aberdeen, 1650–1700 (PhD thesis, St Andrews, 1989), 22–44 [quotation, 41]. DesBrisay has modified the more optimistic view in T.M. Devine, 'The Cromwellian Union and the Scottish Burghs: The Case of Aberdeen and Glasgow, 1652–60' in J. Butt and J.T. Ward (eds), *Scottish Themes* (Edinburgh, 1976). Dow, *Cromwellian Scotland*, 24. Grainger, *Cromwell Against the Scots*, 33, 51. Lynch (ed), *Early Modern Town*, 6–8. A.J.S. Gibson and T.C. Smout, *Prices, Food and Wages in Scotland, 1550–1780* (Cambridge, 1995), 52, 55, 62, 65, 175–77. Bensen, 'South-west Fife and the Scottish Revolution', 203–4, 208–10, 229, 230. Gillanders, 'Scottish Burghs', 34, 125–26, 129, 195–98, 201–10, 214–16, 263–64, 266–68. 'Collections from a Private Hand at Edinburgh', in *Historical Fragments*, 29, 34. Nicoll, *Diary*, 23, 26–8, 35 (misnumbered as 33), 50, 58.

idealism, was at work. During the 1550s, in 1603, and again in 1643, the security of protestantism was seen by individuals on both sides of the border as God's master plan for the ceaselessly antagonistic Scots and English—'Hath not the almighty providence severed me from the reste of the worlde, with a large sea, to make me one Islande? . . . Why then wil you divide me in two?'.² Cromwell certainly made one island, but the protestant vision was exclusively English and determinedly defensive. The security of protestantism lay not in religious harmonisation throughout Britain, but in England lifting the drawbridge against potentially hostile neighbours.

It is inevitable, given the complex intertwining of the Anglo-Scottish story in the post-reformation century, that historians should focus on the Edinburgh-London axis. This is a natural consequence of the enduring nature of our peculiar union, which, for all its coughs and hiccups, is still in existence and demands attention for that very reason. The union was not, however, the only show in town; as we learn more about the vibrancy of Scottish political culture, the strident independence of the Scottish church and the complexity of its governmental institutions, the sense that parliamentary union must inevitably follow regal union seems increasingly anachronistic. It was natural that the Scots, by necessity of their smaller stature, desired a positive and peaceful relationship with their powerful, and intermittently predatory, neighbour,³ but they also had long-standing bonds with other countries. During the first half of the century, Scotland and Scotsmen looked to France, the Dutch Republic, Sweden, Denmark-Norway, Ireland, and even across the Atlantic, in order to make sense of their place in the world.⁴ This comes as no surprise

² James Henrisoun's *Exhortatioun* in R.A. Mason, 'The Scottish Reformation and the Origins of Anglo-British Imperialism' in R.A. Mason (ed.), *Scots and Britons: Scottish Political Thought and the Union of 1603* (Cambridge, 1994), 173.

³ R.A. Mason, 'Scotching the Brut: Politics, History and National Myth in Sixteenth-Century Britain' in R.A. Mason (ed.), *Scotland and England, 1286–1815* (Edinburgh, 1987), 60–84. A.I. Macinnes, 'Politically Reactionary Britons? The Promotion of Anglo-Scottish Union, 1603–1707' in S.J. Connolly (ed.), *Kingdoms United? Great Britain and Ireland since 1500, Integration and Diversity* (Dublin, 1999), 45, 48.

⁴ Some useful material on Scotland's international relationships would include J.K. Cameron, 'Some Scottish Students and Teachers at the University of Leiden in the Late Sixteenth and Early Seventeenth Centuries' in G.G. Simpson (ed.), *Scotland and the Low Countries, 1124–1994* (East Linton, 1996). T. Riis, *Should Auld Acquaintance be Forgot? Scotto-Danish Relations c. 1450–1707* (2 vols, Odense, Denmark, 1988). T.C. Smout (ed.), *Scotland and Europe 1200–1850* (Edinburgh, 1986). S. Murdoch,

to historians of the medieval kingdom, when it was common to find Scotsmen hectoring papal officials, serving in French armies and attending European centres of learning.

The condition of a small country living under the shadow of a much larger one was not especially unique in early modern Europe, although the fact that two sovereign kingdoms should find themselves squeezed into the same island does lend the relationship a certain intensity. By the middle of the sixteenth century, the loss of England's last toehold in France, Calais, and the downfall of Mary Stuart, who had seemed to promise the unification of France, England, Scotland and Ireland under one crown, had forced English monarchs to reorientate their attentions towards the British Isles.⁵ This reorientation was embodied, not without considerable anxiety, in the union of 1603.⁶ It would be a simplification to state that this was where all the trouble started but, as Maurice Lee has observed, it is almost impossible to visualise how the wars of the three kingdoms could have occurred without this definitive development.⁷

Although this study did not begin in 1603, it has attempted to encompass the significance of Scotland's political and constitutional relationship with England after that date. Peter Donald and Conrad Russell have pointed to the difficulties of addressing British issues when the two privy councils remained entirely separate, although the jurisdictional and political minefield arising from the formation of a council for British affairs would have created real headaches.⁸ Scottish issues had inevitably become less interesting to James when he had England to run, Ireland to keep an eye on and, latterly, an explosive European situation to manage, but this does not mean that Scotland's interests were routinely subjugated to England's. There is also little evidence that James's system of governing Scotland was

'Scotland, Scandinavia and the Bishops' Wars, 1638–40' in Macinnes and Ohlmeyer (eds), *Stuart Kingdoms*. Grosjean, *Unofficial Alliance*, chs. 6, 7. D. Stevenson, *Scottish Covenanters and Irish Confederates* (Belfast, 1981).

⁵ S.G. Ellis, *Ireland in the Age of the Tudors, 1447–1603* (Harlow, 1998), 13–14.

⁶ J. Wormald, 'The Creation of British Multiple Kingdoms or Core and Colonies?' in *Transactions of the Royal Historical Society*, 6th ser., ii (1992), 177, 187–88.

⁷ M. Lee, 'Scotland, the Union and the Idea of a "General Crisis"', in Mason (ed.), *Scots and Britons: Scottish Political Thought and the Union of 1603* (Cambridge, 1995), 41.

⁸ Donald, *Uncounselled King*, 326. Russell, *Fall of the British Monarchies*, 30. See also Stevenson, *Scottish Revolution*, 215, 220–21. Hughes, *English Civil War*, 53. Goodare, *Government of Scotland*, ch. 6.

becoming structurally unsound in his own lifetime.⁹ Sharon Adams has made the pertinent point that James may have failed to consider the possibility of future difficulties,¹⁰ but could he really have been expected to know what sort of havoc a young, vigorous king, with a desire to control everything personally, would wreak?¹¹ James did give thought to how the kingdoms should relate to one another, but James's union was never fully articulated because it was always intended to be a gradual move towards 'the closest possible fusion', not simply the incorporation of Scotland into a greater England.¹² Once the project had stalled, James concentrated on ecclesiastical convergence instead and there were no further attempts to pursue closer political and institutional ties between the two countries.

Does James's relative success in ruling Britain mean that Charles alone 'brought about his own ruin'?¹³ As some scholars have rightly begun to emphasise, the later years of James's reign left Charles with a difficult legacy, which must be taken into account when Charles's own record is scrutinised.¹⁴ Foreign wars, religious tension, economic stagnation and a terrible famine may have placed insupportable strain on a weak bureaucracy that did not possess the resources to deal with serious trouble.¹⁵ Highly unpopular ecclesiastical policy exposed these difficulties after 1617, when the Perth Articles threatened to undermine the relationship between local and national government in that most politically sensitive of localities, the capital. James's Scottish servants do seem to have been able, with difficulty, to contain

⁹ Stevenson, *Scottish Revolution*, 16. Lee, *Government by Pen*, 114, 219. Lee, *Road to Revolution*, 238. More work on the fiscal dimension of James's regime might show otherwise, see n. 28.

¹⁰ Adams, 'regional road to revolution', 47, 53, 63–4.

¹¹ Lee, *Government by Pen*, 219.

¹² Galloway, *Union*, 110–14, 165–66. D. Hirst, *England in Conflict, 1603–1660: Kingdom, Community, Commonwealth* (London and New York), 79–80, 86–7. Wormald, 'British Multiple Kingdoms', 188, 193.

¹³ Lee, *Great Britain's Solomon*, 301. Lee, *Road to Revolution*, 244.

¹⁴ Lee, *Great Britain's Solomon*, p. xi, 301. Lee, *Road to Revolution*, 244. Wormald, *Court, Kirk and Community*, 158. These highly positive accounts of James, justified in many respects, have been modified to take account of James's later difficulties and question whether Charles can convincingly be regarded as the sole instigator of his downfall. Goodare, 'Scottish politics', 48–50. Brown, *Kingdom or Province?*, 94–8.

¹⁵ Consideration is given to these ideas in the Introduction. See also J. Scott's discussion of 'dysfunctional fragility', *England's Troubles*, 46–7, 62–4. Goodare, 'Thomas Foulis' in Ormrod *et al.* (eds), *Crises*, 170–93. Goodare, *State and Society*, ch. 4, especially 104–8, 129–32.

the problem. In so doing, the government saved up its troubles for the future, by virtually colluding in the entrenchment of a coherent opposition movement that had an explicitly anti-episcopalian agenda. There were other problems surfacing, for Edinburgh particularly, by the early 1620s. James's fiscal policies, notably innovations in taxation and an increase in grants of monopolies, offended the merchant elite, but this must be balanced against Edinburgh's continuing ability to have its voice heard in the highest political circles.

Charles's reign crystallised a mounting sense of dissatisfaction with the post-1603 arrangement. Some Scots probably believed that the Crown's servants were not acting to prevent Scottish interests being subjugated to those of England. At least one pamphlet of the period complained that the king was not receiving 'rycht informatioun' about his native kingdom. This was blamed on a combination of 'the absence of his M[ajesties] royall persone and court' coupled with 'the neglect of parliaments, conventions of estates and of free assemblies of the kirk'. Assertions that low-born individuals had replaced Scotland's 'ancient nobilitie' as the king's counsel was a time-honoured rhetorical device that avoided a direct attack on the king himself. In the persons of the Scottish episcopate, the pamphlet had located, as it hardly needed to tell its audience, the evil counsellors *par excellence*. The imposition of 'bishops and ceremonies' were responsible for the 'great danger and extremities' now facing the kirk.¹⁶ Scotsmen were accustomed to plucking at the sleeves of forgetful monarchs and the political elite's fractious relationship with Charles reflected the desire to be heard, not a desire to turn him into a Scottish doge. It was only when legitimate protest had been exhausted that thoughts turned to establishing constitutional bulwarks against autocratic rule.¹⁷

Charles was not insensitive to Scottish concerns, but his Anglicised version of Britishness, enjoining conformity to divine rule across the two countries, allowed very little flexibility in policy implementation.¹⁸

¹⁶ NLS, Dangers to the Repub[lic], Wod.Qu.CV, ff.101, 102, 103, 104.

¹⁷ R. Mason, 'The Aristocracy', 7.

¹⁸ A.D. Nicholls argues for continuity between the reigns of James and Charles regarding 'inter-kingdom cooperation'. He states that Charles had no British vision in economic affairs, remaining 'king of each' rather than 'king of all', although this attitude was informed by the entrenched interests of individuals and groups in both countries. See *The Jacobean Union: A Reconsideration of British Civil Policies under the Early Stuarts* (Westport, Connecticut, 1999), 25, 145, 189.

The means by which Charles over-rode inconveniences such as separate legal frameworks, governing bodies and legislative assemblies, was that ill-defined tool known as the royal prerogative.¹⁹ Unfortunately, the parlous state of royal revenue in the early seventeenth century meant that Charles did not have the resources to support an endeavour which, in keeping with his Continental peers, essentially aimed at consolidating monarchical power throughout the king's domains. This issue was particularly pertinent in those kingdoms where the absence of the monarch meant that bureaucratic structures had to be able to operate effectively on their own.²⁰ If James and Charles really were to sit in London and govern Scotland with their pens, they needed experienced personnel *in situ*, with the scope to interpret the king's will in a flexible manner. In this sense Scotland was fortunate that the privy council, with its wide powers, possessed the capability to run daily government itself.²¹

The question this raises is the extent to which James and Charles were willing to devolve decision-making onto the Scottish privy council. Kevin Sharpe has pointed out that style rather than policy *per se* distinguished the government of the two kings in an English context.²² There is some truth in this for Scotland, too. Charles's ideas on tax, or monopolies, or the church, were heavily influenced by his father's example. He did not seek to alter the basic framework that James had used to govern Scotland, although he certainly intended to limit both the privy council's ability to make decisions and its role as the main conduit of information between Edinburgh and London. Where James had the advantage over his son was in a personal knowledge of Scotland that gave him an instinctual understanding of where legal, constitutional and political boundaries lay. It was only in his later years, distracted by the unravelling of his European diplomacy, that the old king lost his sureness of touch.

Charles, on the other hand, probably never possessed such instincts and did not see the value of seeking advice. In the bid to assert his own dominance over privy councillors, the king sidelined men who,

¹⁹ Macinnes, *British Revolution*, 75.

²⁰ Donald, *Uncounselled King*, 15. Lee, *Road to Revolution*, 240–41. Russell, *Fall of the British Monarchies*, ch. 2. Goodare, *Government of Scotland*, ch. 6. Hughes, *Causes of the English Civil War*, 12, 14. Scott, *England's Troubles*, 71.

²¹ Goodare, *Government of Scotland*, ch. 6. Goodare, 'Scotland's Parliament in its British Context' in Dickinson and Lynch (eds), *Challenge to Westminster*, 25.

²² Sharpe, *Personal Rule*, p. xvi. See also Lee, *Road to Revolution*, 4, 8, 10, 20, 29.

for all their clannish inflexibility, still possessed a formidable knowledge of Scottish politics and government. He replaced them with men like Menteith and, later, the slippery Traquair, who, while they were certainly more than mere ciphers, nonetheless knew that their position depended on telling the king what he wanted to hear. The most compliant councillors were, of course, the bishops, who were more completely dependant on royal favour than secular landholders ever could be. The fragility of episcopal political power in Caroline Scotland would become all too apparent in the wake of the Prayer Book riots, but this also revealed the fragility of royal power. Scottish bishops had a very limited support base and could offer little practical assistance to the king once they had been excluded from parliament and general assembly.²³

The diminished authoritativeness of the privy council was one important feature of growing dissatisfaction with the Caroline regime amongst the Scottish political nation—a group that takes in the representatives of local communities, urban and rural, as well as the peerage. This did not, however, make Scotland ‘virtually all country’.²⁴ Loyalty to the Crown existed beyond the Prayer Book crisis, suggesting that as elsewhere in Britain, Scottish politics was about who had access to power and how they used it.²⁵ Unlike elsewhere in Britain, the presence of the privy council raised the possibility of an alternative sphere of influence, related to, but not entirely dependent on, the Court. James, partly through political good judgement and partly, one suspects, through temperament, did not check the development of a relatively autonomous Scottish privy council. Even if there was a ‘slowing down’²⁶ in the pace of government, as the Jacobean administration relaxed into its role, this was not necessarily a bad thing; dynamic government could create more problems than it purported to solve. Perceptions of the effectiveness of that government

²³ M. Lee, ‘Charles I and the end of conciliar government in Scotland (180)’ in Lee, *The ‘Inevitable’ Union*, 186–87. Macinnes, *Covenanting Regime*, 82–4. Brown, *Kingdom or Province?*, 99–101. There were nine bishops on the privy council by the mid-1630s, *RPCS*, 2nd ser., vi.

²⁴ Stevenson, *Scottish Revolution*, 323.

²⁵ Brown, *Kingdom or Province?*, 106. Brown, ‘Courtiers and Cavaliers’ in Morrill (ed.), *Scottish National Covenant*, 157–58, 178–79. Goodare, ‘Scottish Politics’ in Goodare and Lynch (eds), *James VI*, 54. Donald, *Uncounselled King*, 5. See also Morrill, *Revolt of the Provinces*, 26–34. B. Manning, ‘The Aristocracy and the Downfall of Charles I’ in Manning (ed.), *Politics, Religion*, 42.

²⁶ Brown, *Kingdom or Province?*, 94.

also depended less on its vigour than on its ability to reflect the concerns of key interest groups.²⁷ Nobody could deny that Charles's Scottish government was busy, but it was busy doing things that disregarded local political realities, in favour of pursuing the king's agenda (or a particular royal servant's interpretation of the royal agenda). There is little doubt that policies such as the Revocation or the Prayer Book were intrinsically unpopular, but they were also reflections of a type of government that eschewed the need for consensus.

This talent for alienating political opinion is evident as much in England as in Scotland. Just as Charles treated the Scottish estates as a cash-cow rather than a consultative body—although he was learning from James's example in this respect—so the English parliament attempted to have this very issue addressed in April 1640. While there was no Scottish equivalent to ship money or the forced loan, the tax burden did feature in the 1633 petition that occasioned Lord Balmerino's trial. Patronage was under scrutiny in England through its association with the widely unpopular figure of George Villiers, duke of Buckingham. In Scotland, too, patronage was increasingly perceived to be concentrated within a circle of Anglicised courtiers. Resentment amongst the landholding elite was further aggravated in this respect by the aggressive political advancement of Anglophile bishops during the 1630s. Resistance to royal religious policy had taken on a different character north and south of the border, but mounting concern in both countries over protestant setbacks in the Thirty Years' War, combined with the influence of the anti-Calvinist William Laud, meant that the Scots readily made common cause with the English parliamentarians who engineered his downfall.²⁸ By 1640, Charles's ability to unite disparate interest groups within and between his kingdoms had formed a formidable opposition bloc, which was committed enough to take up arms against the king.²⁹

²⁷ Brown, *Kingdom or Province?*, 101. Donald, *Uncounselled King*, 320–22. Lee, *Road to Revolution*, ch. 1. See also Russell, *Causes of the English Civil War*, 43 and Goodare, 'Parliament of 1621', 39–40.

²⁸ An anonymous journal by an Edinburgh inhabitant indicates considerable awareness of European events, NLS, Wod.Qu.IX. For Protestant fears generally, see Scott, *England's Troubles*, 92–101 and K. Fincham and P. Lake, 'The Ecclesiastical Policies of James I and Charles I' in K. Fincham (ed.), *The Early Stuart Church, 1603–42* (London, 1993), 33–5. For Laud's perception that the Scots were involved in his downfall, see Laud, *Works*, iii, 230, 300, 301–75.

²⁹ Brown, *Kingdom or Province?*, 100. Adams, 'Regional Road to Revolution', 27.

Edinburgh's role in the wars of the three kingdoms has generally been seen in terms of providing a venue for the Prayer Book riot.³⁰ Its distinctive status and culture also provide the context. Edinburgh's well-informed, sophisticated nonconformists have rightly received attention,³¹ but these individuals have tended to be seen as an isolated group, rather than as part of a self-conscious urban community. Unlike London, where a puritan minority had to engineer a *coup* in order to have their religious agenda addressed,³² nonconformity was not only tolerated in Edinburgh, but had thoroughly permeated the burgh's political culture and formed an intrinsic part of its urban identity. Prior to 1617, this was not a problem because everyone was part of the same team when it came to worship, while questions of polity had been firmly kicked into the long grass, at least as far as local government was concerned. After the inception of the Perth Articles, James's scrutiny of the capital made this position increasingly untenable, by creating public disputes amongst the town's leading figures and generating a political crisis in local government. The attack on the fundamental concept of unity, amongst councilors, ministers, kirk session members and in the wider community, was regarded with horror even by those who might have been willing to kneel themselves; no royal policy could ever be important enough to justify dismembering the body politic.³³

If nonconformity had been confined to Edinburgh it would have been problematic enough for the government, but the capital had undoubtedly become the focus for a dissenting community with links reaching throughout Lowland Scotland. Edinburgh was a natural meeting point for those living further afield. It was a cosmopolitan, literate society with its own, thriving pamphlet culture (covering official and unofficial publications), as well as strong links with continental centres.³⁴ Its compact, integrated urban community readily

Donald, *Uncounselled King*, 38. Morrill, *Revolt of the Provinces*, 46–7, 49. Russell, *British Monarchies*, 8, 14, 22, 27. Russell, *English Civil Wars*, 35, 51–2, 109. Hughes, *English Civil Wars*, 32–3, 50.

³⁰ Stevenson, *Scottish Revolution*, 58–64.

³¹ Stevenson, 'Conventicles in the Kirk', 101–11.

³² Pearl, *London*, 235–36. Brenner, *Merchants and Revolution*, 316–18, 343, 356.

³³ For tension between governing elites and the wider populace, see K. Wrightson, 'Two Concepts of Order: Justices, Constables and Jurymen in 17th century England' and J. Walter, 'Grain Riots and Popular Attitudes to the Law' in Brewer and Styles (eds), *An Ungovernable People*. Archer, 'Politics and Government' in Clark (ed.), *Cambridge Urban History*, ii, 235, 246.

³⁴ For Edinburgh's print culture, see Mann, *Scottish Book Trade*. For analysis of

gave rise to close associations between like-minded folks. Resistance to the Perth Articles in Scotland was consequently expressed through social networks emanating out from the capital, bringing together men and women, rich and poor, urban and rural. While the organisational heart of resistance was probably made up of the godly, the agenda had broad appeal across many social groups, giving a cohesiveness to their activities which was much less pronounced south of the border.³⁵ The king must have known, from his own personal experience of Edinburgh if nothing else, that resistance to his policy would be concentrated in the capital. This only intensified James's determination that the head burgh of his northern kingdom would submit to his directives.

King James's Five Articles must stand as a blunder of the first order. They were conceived of *before* the outbreak of the Thirty Years' War, suggesting that James desired greater ecclesiastical uniformity across his kingdoms for its own sake, not because of external political or diplomatic factors. Once that conflict was under way, however, James's commitment to the Articles intensified while his ability to navigate a course for them diminished. By 1618, the Articles were being so vehemently opposed that even if James had genuinely started out with the intention of putting them 'on the statute book' only, his authority had taken too much of a bashing to abandon them with any dignity. It also needs to be remembered that while James did, indeed, 'read the signs aright' and drop the canons and liturgy, the real significance is that they were on his agenda at all. James's vision, as it manifested itself in the later 1610s, was not Anglicanisation in the strict sense, but contemporaries would hardly have been comforted to know that James (and Charles) were merely authoritarians who liked a bit of order in their churches. While the erection of the episcopalian edifice up to 1612 had not greatly affected the Scottish

the interaction between printed and manuscript material, see Stewart, "Brothers in Truth".

³⁵ Active resistance to anti-Calvinism does not seem to have been coordinated between the English localities, although the debates provoked by Richard Montagu's work helped to generate a parliamentary grouping associated with the protection of Calvinist doctrine and worship. Tyacke, *Anti-Calvinists*, 125–62. The type of people who constituted the 'godly' has been looked at in terms of 'class consciousness' amongst the middling sort, for example, Manning, 'Religion and Politics' in Manning (ed.), *Politics, Religion*, 82, 123. Chapter Five shows that the unpopularity of the Perth Articles encompassed a broad cross-section of society, including nobility, gentry, lawyers and members of Edinburgh's political elite.

church's independence, its Calvinist-inspired forms of worship or its Genevan attitude to social discipline,³⁶ James's agenda from then on does make 'congruity' look a little one-sided.³⁷ James clearly wanted to see the Scottish church kneeling at communion, following a prayer book and ordering itself according to a prescribed set of canons. There would be a high commission to enforce it all and ideally, in the long run, no presbyteries for stirring up trouble.³⁸ This might technically have left a jurisdictionally autonomous kirk, but even this assertion was already wearing thin with propagandists who saw that the only people getting promoted in the kirk were those acquiescing in Anglican-style reform. Scottish fears that their national church was under sustained attack were thus formed in James's reign, and only a king who was prepared to leave the Scottish kirk well alone could have rectified the situation. Charles, as we know, was not that type of king.

There is no doubt that Charles had been left with a difficult legacy but this does not absolve him from making poor decisions. One of the fundamental problems, as suggested already, was the narrow spectrum of opinion represented by Charles's advisors. Archbishop

³⁶ Foster, *Church before the Covenants*, 60, 83. The very fact that Calderwood criticised the episcopate for their rhetorical flourishes indicates how central preaching remained to the Scottish religious experience. Mullan, *Puritanism*, 128, quoting David Calderwood. William Forbes's preaching as bishop of Edinburgh upset his parishioners there, Row, *Historie*, 370. Alan MacDonald points to non-attendance at presbyteries as a result of the episcopal presence, but a bishop would rarely, if ever, have attended a kirk session. On the other hand, MacDonald's evidence pertains to a handful of presbyteries and does not suggest that absenteeism was so common that any presbytery was unable to function. MacDonald, *Jacobean Kirk*, 150–52. Charles's propagandists called the Scottish form of worship a 'deformitie', [Balcanquhall], *Large Declaration*, 16.

³⁷ Congruity meant the two churches coming closer together by a mutual exchange of some of the features that made them distinctive, which at the same time would enhance James's authority in ecclesiastical affairs and foster greater cooperation between the two churches. This view is sustainable until the later 1610s, but much less so thereafter, Morrill, 'A British Patriarchy?', 210, 214–21. From at least 1610, senior clerics were aware that the abandonment of presbyteries might be forthcoming, MacDonald, *Jacobean Kirk*, 149. See also MacDonald, 'James VI and I, the church of Scotland and British ecclesiastical convergence', *Historical Journal* (forthcoming). I am indebted to Alan MacDonald for sharing his own work on this topic with me.

³⁸ Calderwood, *History*, vii, 63. In February 1622, bishops were given the power to nominate justices in every parish to punish certain ecclesiastical offences. They were also given some of the functions exercised by presbyteries and kirk sessions. *RPCS*, 1st ser, xii, 446–7.

Laud may have been corresponding with a number of prominent Scottish bishops, including Patrick Forbes of Aberdeen, John Maxwell of Ross and the two incumbents of Dunblane, James Wedderburn and his uncooperative predecessor, Adam Bellenden, but Laud was not looking for guidance or advice. He had a clear agenda to bring Anglican-style order to the Scottish church and the fact that Scottish ecclesiastics were co-opted into the task does not make it any the less true. That Laud was able to get away with this level of involvement in Scottish church affairs raises questions about the role of the aging, over-worked and isolated Spottiswoode.³⁹ Part of his seemingly subservient attitude may have stemmed from the realisation that his position was intentionally being undermined by Traquair. They both knew that the Prayer Book would be disastrous, but they both probably also knew that swimming against the tide and openly opposing the Book during 1635–36 would be futile.⁴⁰ In the wake of the ensuing riots, however, it might have been possible to build a new consensus based on the principle of protecting Scotland's political autonomy. Could a Traquair-led coalition of interests, taking in leading privy councillors, important political players outside it, and perhaps even some sympathetic bishops, have persuaded Charles to offer a remodelled privy council, a general assembly and complete abandonment of the Book?

Traquair, by all accounts, was not a man much given to consensus and coalitions.⁴¹ By 1637, the privy council was racked by internal divisions, so that despite some knowledge of what was coming, it was ill-prepared to deal with the consequences. In this sense, 1637 was a crisis 'of government rather than religion', because a good government would have united itself in opposition to something so manifestly against Scottish political interests as the Prayer

³⁹ The dictatorial tone of Laud's letters, especially to Spottiswoode, suggests that Laud was telling the Scottish bishops what to do, not just advising them, as Morrill asserts, 'A British Patriarchy?', p. 232. Laud, *Works*, vi, 438, 443.

⁴⁰ Kevin Sharpe claims that Charles had no reason to suppose the Book would not be accepted because he had received no information to the contrary, Sharpe, *Personal Rule*, 787. Charles's own propagandists did not understand why a Book that was acceptable in England should be a problem for the Scots, [Balcanquhal], *Large Declaration*, 19. Maurice Lee maintains that Charles's Scottish servants generally, and Traquair particularly, purposely did not tell him about potential problems, Lee, *Road to Revolution*, 192, 201, 207.

⁴¹ Lee, *Road to Revolution*, 188–92. Stevenson, *Scottish Revolution*, 53–5.

Book.⁴² In the aftermath of the riots, we see how a demoralised privy council declined to offer leadership from *within* the king's Scottish government *against* the king's policies. There had been plenty of time, as Laud himself hinted, for the government to prepare themselves—longer, perhaps, than he realised.⁴³ For the past two decades, opposition to Crown policy had been 'nourished' in the capital, amongst the type of articulate, literate merchants who had also proved receptive to nonconformity in London.⁴⁴ This, however, was a weakness that the government could have exploited. At this stage, there was almost no noble involvement, as even prominent figures from the failed petitioning campaigns of the early 1630s, such as Balmerino and Rothes, were reluctant to nail their colours to the mast before Charles had revealed his.⁴⁵ The government could have seized the opportunity to open discussions with known noble dissidents, thereby leaving the rioting burgesses and their wives isolated, but nobody seems to have suggested this to Charles. Instead, he was evidently being told that the royal will did not entertain negotiation—three weeks after the riot, Laud told Traquair (whose absence from Edinburgh on 23 July had been duly noted) that Scotsmen had been 'commanded' to use the Liturgy and, moreover, 'it was time they had one'.⁴⁶ In the face of monarchic intransigence, a minority of gifted theologians, accompanied by a laity just as well-versed in their Scripture, effected a bewilderingly speedy and efficient revolution. Through years of opposition to Crown policy, the radicals had schooled themselves in management techniques which would have impressed James VI, leaving the opposition with little opportunity to mount a coherent counter-campaign. Those who were most likely to do so, the episcopate, were all too easily intimidated and discredited.

In the aftermath of 23 July, it is tempting to imagine a parallel universe where a united privy council immediately discharged the Prayer Book, Charles for once acted out of character and accepted this decision, and a brilliantly managed general assembly and parliament overturned the Perth Articles, but upheld the authority of

⁴² Lee, *Road to Revolution*, 4, 241.

⁴³ Laud, *Works*, vi, 494–95.

⁴⁴ Pearl, *London*, 160.

⁴⁵ A.H. Williamson, *Scottish National Consciousness and the Reign of James VI* (Edinburgh, 1979), 69–70, 72. Makey, *Church of the Covenant*, 166–67, 175, 177, 179.

⁴⁶ Laud, *Works*, vi, 495.

the episcopate. The presbyterian faction would, once again, have been driven into the wilderness and everyone would have reminisced in years to come about the amusing sight of the bishop of Galloway racing up the High Street from a gaggle of angry women, surplice billowing as he went. Of course the very fact that these things did not happen, paving the way for a better-organised riot with more determined aims on 18 October, indicates why there was a problem in the first place. If the subject of the riot had been religion, it was occasioned by Charles's complete disregard for the norms of political discourse in Scotland. Far from the estates simply acting as a rubber stamp for the executive,⁴⁷ the political community, given expression when sitting as the estates, considered itself to be the guardian of the commonweal. Their role was to advise the king, and act as a bulwark against tyranny.⁴⁸ If Charles did not take the advice of his political community, then he was, *ergo*, acting in a tyrannous manner.

Although the Glasgow general assembly was a masterpiece of manipulation, the popularity of the religious settlement it effected does need to be stressed. We have seen already that Stuart church reform, especially in matters of worship, rested on a very limited support base. The presbyterian church polity effected from 1638 might not have been a point of doctrine for more than a small coterie of theologians, but it was not inherently objectionable to local elites, either. This may have been particularly true of those below the top tiers of the peerage, whose pretensions towards leadership of the local community could be enhanced by taking part in the church hierarchy. Many could probably take or leave bishops, but local elites had proved to be active supporters of the church courts that did so much, especially in urban centres, to keep the lower orders in line.⁴⁹

⁴⁷ Rait saw the estates as weak, R.S. Rait, *The Parliaments of Scotland* (Glasgow, 1924), 62. New research is overturning this view. John Young's work shows the vibrancy of the Estates during the 1640s, J.R. Young, 'The Scottish Parliament and the Covenanting Revolution: The Emergence of a Scottish Commons' in Young (ed.), *Celtic Dimensions*. Goodare, 'Scotland's Parliament', 23–4. MacDonald, 'Deliberative Processes in Parliament', 23–51.

⁴⁸ R.A. Mason, *Kingship and the Commonweal: Political Thought in Renaissance and Reformation Scotland* (East Linton, 1998), 1–2. Brown (ed.), *Scottish Society*, 45–6. Mason, 'Aristocracy, Episcopacy and the Revolution of 1638' in Brotherstone (ed.), *Charter, Covenant and Party*, 15–16.

⁴⁹ Goodare, *State and Society*, 172–73. Todd, *Culture of Protestantism*, 371. Stevenson, *Revolution and Counter-Revolution*, 189.

For Edinburgh, and much of Lowland Scotland, the particular attraction of the Covenant was its promise to restore religious harmony and renew cooperation between antagonistic secular and religious bodies. Although Edinburgh's distinctive nonconformist culture did not disappear after 1638, as the persistence of conventicling into the 1640s implies, the unpopular practices that had threatened to separate the godly from the mainstream church had been eradicated. There may well have been a Covenant for every occasion, but the basic vision of an independent Scottish church, protected from popish impurities by the natural guardians of the commonweal, had positive attractions for the political elite as well as the godly. It was this factor that arguably made the Scottish revolution a socially conservative one. The religious settlement of 1638–41 was widely believed to be a restoration, not an innovation, and it did not have to be pushed through against the inclinations of the elite.

In England, the puritan agenda was squeezed by a variety of different religious positions during the 1640s, but the essential cohesiveness of the Scottish Calvinist church meant that there was little *religious* opposition to the Covenanting movement, even in areas outwith the Covenanting heartlands of Lothian, Fife and the south-west. The most convincing public refutation of the Covenant was made by a group of divines known as the Aberdeen Doctors, but they were still orthodox Calvinists; their position was based primarily on a refusal to accept that God was happy about subjects bonding against kings.⁵⁰ Montrose also campaigned on this theme, and nobody with him, least of all his own ideas man, Archibald, 1st Lord Napier, was using some Scottish variation on the beauty of holiness to gain support.⁵¹ 'The strength of episcopalian adherence'⁵² in the north-east can sometimes be exaggerated, creating a simplistic demarcation between presbyterians and episcopalians.⁵³ Aberdeen probably housed 'more anti-Covenanters than Covenanters', and part of this was expressly based on concerns about overturning the episcopate, but the strength of the minority who did sign up for the Covenanting

⁵⁰ Mullan, *Scottish Puritanism*, 210–11, 224.

⁵¹ For hints at Montrose's thinking, see D. Stevenson, 'The "Letter on Sovereign Power" and the influence of Jean Bodin on political thought in Scotland', *SHR*, lxi (1982).

⁵² M. Lynch, G. DesBrisay with M.G.H. Pittock, 'The Faith of the People' in Dennison, *et al.* (eds), *Aberdeen*, i, 300.

⁵³ Donaldson, 'Scotland's Conservative North'. MacDonald, *Jacobean Kirk*, 98–9.

programme is evident in the vicious factionalism which marked out Aberdeen's experience from that of many other Scottish burghs during the 1640s.⁵⁴

If Edinburgh was, in many respects, unrepresentative of the rest of the kingdom because of its size and stature, it was perfectly representative of Lowland religious opinion (far more so than Aberdeen). This was partly because, as has been suggested in Chapter Five, Edinburgh was as much the natural leader in religious opinion (if not necessarily in theological debate) as it was in economic affairs. The capital's guiding influence was not questioned until the autumn of 1648, when a radical group based in the south-west seized power in the wake of the Engagement *débâcle*, intending to complete the work which had begun in 1637, but had stalled due to the pressures of war. For the first time since the riot of 1637, Edinburgh town council, which had supported the Engagement, found itself openly divided from the community it governed. Nonetheless, there was no real breach in Edinburgh or in the country at large regarding religious practice—although there was more than a suspicion that the clergy had become a little puffed up with their own power. The irreparable breach between Remonstrants and Resolutioners was also less about religious forms than the vexed question of how obedience to the monarch could be squared with protection of the true, reformed faith. John Morrill has pointed to a resilient 'folk Anglicanism'⁵⁵ in the English localities, which made a puritan reformation difficult to put into effect. There appears to have been no such conflict between the religious aims of the Covenanting regime and much of Lowland Scotland (although this is less true of the far north and west).⁵⁶ On the contrary, a resilient 'folk Calvinism'⁵⁷ in the

⁵⁴ Aberdeen was also one of the few places in Scotland which showed any interest in the Quaker movement during the 1650s. It is also worth noting that Aberdeen had been afflicted by political in-fighting during the 1630s, DesBrisay, "'The Civill Wars'", 240, 246–61, 262–63.

⁵⁵ Morrill, 'Impact of Puritanism', in Morrill (ed.), *English Civil War*, 57. D. Underdown, *A Freeborn People: Politics and the Nation in Seventeenth-Century England* (Oxford, 1996), 56.

⁵⁶ Work on ecclesiastical records from the 1640s still needs to be done. For the 'lengthy and, at time, bloody civil war' in the north and west, see Kenyon with Ohlmeyer, 'The Background to the Civil Wars in the Stuart Kingdoms' in Kenyon and Ohlmeyer (eds), *The Civil Wars*, 37–8. The Highland perspective on the 1640s is given in A.I. MacInnes, *Clanship, Commerce and the House of Stuart, 1603–1788* (East Linton, 1998), ch. 4 and D. Stevenson, *Highland Warrior: Alisdair MacColla and the Civil War* (Edinburgh, 1994), ch. 1.

⁵⁷ This term is by no means ideal. There is no convenient Scottish equivalent

Scottish localities may have created the stony ground onto which fell the seeds of Stuart reform.

If Scottish religious culture has presented problems of definition, using the word revolution has had its controversies also. Laurence Stone has eruditely discussed how a theoretical definition can frequently run into the brick wall of reality; there is always the danger that in the quest for the right term, the historical circumstances that fuelled the initial inquiry become irrelevant.⁵⁸ Allan Macinnes's definition of revolution, as 'the outcome of a long process of dissatisfaction, disaffection and organisation culminating in a successful, but violent, change of government', has the attraction of simplicity.⁵⁹ This definition lends itself to explaining why, in J.K. Galbraith's phrase, people wanted to kick in the rotten door, but is less useful for showing why the door was rotten in the first place. In attempting to distinguish between preconditions and precipitants, Stone offers possibilities for investigating processes that protagonists might not even have been conscious of.⁶⁰ The closest adherent to this kind of investigation in a Scottish context is Walter Makey's *Church of the Covenant*. He saw a downward transfer of wealth, resulting from the feuing of church and crown lands during a time of Europe-wide inflation, as the hidden propellant of the upheavals of the 1640s.⁶¹

to Anglicanism, denoting loyalty to the church as an institution. 'Folk Calvinism' is intended to signify a widely-held (albeit vaguely understood) belief that God had decided who was saved and who was not, and that nothing a person did on earth could change that. Arising out of this was the belief that worship should contain nothing which suggested that ceremonies themselves affected election. As Todd's work has shown, Calvinism did seek to be 'a religion of the people'. Opposition to extraneous outward forms in Scottish worship, combined with a positive commitment to preaching and strict moral discipline, were deeply ingrained in Lowland Scotland at all social levels by the seventeenth century. These attitudes may also have encouraged a general preference for a presbyterian polity, but if the episcopate did not tamper with the essentials (and did not compete with the nobility for political prominence), the laity in general may have been largely unconcerned by their presence. Todd, *Culture of Protestantism*, ch. 1 [quotation, 83].

⁵⁸ L. Stone, *Causes of the English Revolution 1529–1642* (New York, 3rd edn., 2002), 4, 22.

⁵⁹ A.I. Macinnes, 'Scottish Constitution' in Morrill (ed.), *Scottish National Covenant*, 106.

⁶⁰ J.K. Galbraith, *The Age of Uncertainty* (London, 1977), 96, 154. Hobsbawm observed the problematic nature of trying to separate preconditions and precipitants. This book does not advance that particular debate, but seeks instead to acknowledge the existence of underlying preconditions that create the context in which specific events or processes can develop into precipitants. E.J. Hobsbawm, 'Revolution' in R. Porter and M. Teich (eds), *Revolutions in History* (Cambridge, 1986), 15.

⁶¹ Makey, *The Church of the Covenant*, 4.

Fortunately, historians have moved away from the caricatured portrait of a backward seventeenth-century Scotland, drawn by Hugh Trevor-Roper (but robustly refuted by David Stevenson),⁶² Makey's work fits into a wider attempt to show that early modern Scottish society was not just made up of over-mighty magnates who oppressed their tenants and that long-term socio-economic developments must be given due consideration.⁶³ Maurice Lee has also identified a number of long-term factors within a critique of the 'general crisis' theory, notably the shattering of Christendom and the disintegration of medieval society in the face of the 'omnicompetent, centralized, bureaucratic state'.⁶⁴ Lee comes to the conclusion that no 'general crisis' existed in seventeenth-century Europe, but the themes he raises are certainly worth exploring for seventeenth-century Scotland, if only because 'the powder keg had much in it besides fear of popery'.⁶⁵

That the Scottish revolution was 'essentially conservative' in a social sense is borne out by events at local level, in Edinburgh at least.⁶⁶ Although it might be argued that the tight control exercised by the town council over its subsidiaries mitigated against political reform of an oligarchic system, there is little evidence of any articulated desire for reform. At moments of intense pressure—the 1637 riots, the 1644 excise tax, or the 1648 Engagement—the town council as an institution does not appear to have been threatened (even if its personnel were). When the people came out onto the streets of Edinburgh during the 1630s and 1640s, they were utilising a traditional political tool that was designed to remind patricians of their responsibilities, not overthrow them. While the language of government, in the use of terms such as 'common good', was clearly designed to mask exclusion and inequality,⁶⁷ this does not mean that the rhetoric was meaningless or that the people had somehow been hood-

⁶² D. Stevenson, 'Professor Trevor-Roper and the Scottish Revolution' in *History Today*, xxx (1980), 1–4.

⁶³ J.M. Brown (ed.), *Scottish Society in the Fifteenth Century* (London, 1977), 1–3. See also R.A. Houston and I.D. Whyte (eds), *Scottish Society 1500–1800* (Cambridge, 1989), I.D. Whyte's invaluable overview, *Scotland before the Industrial Revolution: An Economic and Social History c. 1050–c. 1750* (New York, 1995) and T.C. Smout's classic *A History of the Scottish People 1560–1830* (London, 1969).

⁶⁴ Lee, 'General Crisis', 42–5.

⁶⁵ Lee, 'General Crisis', 51.

⁶⁶ Stevenson, *Revolution and Counter-Revolution*, 196.

⁶⁷ P. Griffiths, 'Secrecy and Authority in Late Sixteenth and Early Seventeenth Century London' in *Historical Journal*, xl (1997), 945.

winked into docility by it. Town councillors, in the main, took their responsibilities towards the wider community very seriously. They did not abandon Edinburgh during the plague outbreak, for example, and many politically significant figures remained as the English invaded to carry on the basic functions of government. The absence of local revolutions (or counter-revolutions) during the Covenanting period, if sustained for other places, might partly be accounted for by a basic confidence in the continuing relevance of the traditional socio-political hierarchy.

Edinburgh's political culture was enhanced and complicated by its status as a capital. The burgh was an effective lobbyist whose economic dominance enabled it to influence government policy, but this also made it vulnerable to government interference in its affairs. James had periodically tinkered about with Edinburgh's political processes during much of his adult life, but Charles's more sustained interference in procedures was a greater worry for town councillors and their friends. At the same time, there were fears that the king intended to diminish Edinburgh's role as the natural home of both the privy council and the judiciary. This was arguably more important than the post-1603 decline in parliaments, a point sometimes lost when historians focus on why Edinburgh built a parliament house but forget about the other uses it was put to. That the first meeting of the estates held in the parliament house should have been under Covenanting rule was of particular symbolic significance for the burgh. With the collapse of royal government, the threat both to Edinburgh's own political autonomy and its capital status was removed. By situating its bulky bureaucracy in the burgh, the Covenanting regime kept Edinburgh's lawyers in plenty of work and allowed the town council quick, direct access to the country's most senior politicians. It was only in 1648, after the failure of the Engagement, that the presence of the government in Edinburgh started to seem rather less attractive to the burgh elite.

Edinburgh's political status set it apart from other Scottish towns, but as an economic unit, many of its concerns were shared by other trading centres. David Stevenson has pointed to a 'distinct burgh interest' in the Covenanting movement, boosted by a century of political co-operation in the convention of royal burghs.⁶⁸ Swingeing

⁶⁸ Stevenson, 'The Burghs' in Lynch (ed.), *Early Modern Town*, 167. Lynch,

tax increases, necessitating more intrusive methods of assessment, impacted heavily on urban communities. This was occurring at the same time as the Scottish economy had begun to contract. Although Anglocentric policies, and British involvement in war with France and Spain, had particularly affected Scottish trade, the Thirty Years' War raging across Continental Europe and a general shortage of coin were probably also important factors.⁶⁹ The downturn in the economy was perhaps reflected in Edinburgh's taxation rolls, where the number of people listed as liable had decreased in the mid-1630s, despite the unprecedented sums demanded. More work is clearly needed here, particularly because the way that the economy was changing in the early seventeenth century affected different sectors of the urban population in different ways. Was there tension in an urban society, where subsistence coexisted uncomfortably with credit, and commerce clashed with godliness?⁷⁰ As starvation racked Scotland during the early 1620s, was there grumbling against those we would call 'fat cats', who made excessive profits from lending money and renting out property?⁷¹ In 1619, Edinburgh's marketplaces were buzzing with rumours about James Dalzell, a merchant who had got himself hugely into debt and exposed his creditors and relations, the influential Arnot family, to ruin. It seemed there was little sympathy for the Arnots, however, as their business dealings were commonly thought to be 'very prejudiciall to the haill commounweill'.⁷² At a time when there was perhaps a sense that the rich were getting richer at everyone else's expense, this story may reflect a certain satisfaction that one such family had got their come-uppance.

If there was tension, it is hard to discern. Edinburgh was not the only European centre to be worried about the inexorable growth of the poor, but as long as they did not overwhelm the burgh's resources

'Introduction' in *Early Modern Town*, 17. Macinnes, *Covenanting Movement*, 12. Archer, 'Politics and Government' in *Cambridge Urban History*, 750–52.

⁶⁹ Macinnes, *Covenanting Movement*, 34–6, 42, 108–12, 116–18, 120–21.

⁷⁰ Marshall, *Presbyteries and Profits*, 69.

⁷¹ Underdown, *A Freeborn People*, 47. David Stevenson's rebuttal of Hugh Trevor-Roper's stereotypically backward Scotland has been supported by works which reveal a thriving, if fragile, commercial and industrial sector in the early seventeenth century. D. Stevenson, 'Professor Trevor-Roper and the Scottish Revolution', 1–11. Brown, 'Edinburgh Merchant Elite', chs. 4 and 5. Lythe, *Economy of Scotland*, ch. 2. Whyte, *Scotland before the Industrial Revolution*, ch. 15. Turnbull, *Scottish Glass Industry*, chs. 2–5.

⁷² NLS, Wod.Qu.IX, f.126v. See also ff.143r, 409v, for criticism of merchants getting into debt.

(and it would seem, even in the early 1620s, that they did not),⁷³ they were of little political relevance. Having successfully co-opted a 'craft aristocracy' into the political elite during the 1580s,⁷⁴ the traditional merchant oligarchy of Edinburgh, like that of other early modern urban centres, had resisted threats to their wealth and power.⁷⁵ Their new concern was with an ambitious 'middling sort',⁷⁶ who had their eyes on access to the elite social networks underpinning the burgh hierarchy. Inclusion as 'foot soldiers'⁷⁷ within the burgh bureaucracy may have heightened the political awareness of the urban middling sort but denied them real influence. While the political elite delivered stability and prosperity it would be impossible to challenge them; there is, however, a strong probability that both were demonstrably under threat during the later 1630s. High taxes, the declining ability of the town's common good to match council expenditure and a contracting economy, had combined with an intrusive royal regime less mindful of Edinburgh's privileges than Edinburgh believed should be the case.⁷⁸ Interestingly, this situation was paralleled in English towns,⁷⁹ hinting that, as in religion, Charles was developing policies across his kingdoms which were insensitive to local variations. Given the similarity of their experiences in relation to the king, it is hardly surprising that during the early 1640s, the sister-capitals of Edinburgh and London made common cause with one another.⁸⁰

Definite points of tension existed, but royal government was not all bad news for Edinburgh. There is no doubt that the burghs were meeting unprecedented levels of taxation during the 1620s and 1630s, that innovative means of expanding taxation were being sought by the Crown and that, as the 1621 parliament showed, many burghs were unhappy about this.⁸¹ Yet Edinburgh's tax bill, relative to the burgh's trade, meant that Edinburgh was probably paying proportionately less than other burghs—in 1649, many clearly thought that

⁷³ Stewart, 'Poor Relief in Edinburgh'.

⁷⁴ Lynch, *Edinburgh*, 5.

⁷⁵ Evans, *Norwich*, 2, 5.

⁷⁶ See the discussion of this term and how it fits into the bigger socio-political picture in Chapter One.

⁷⁷ See Chapters One and Two.

⁷⁸ Appendix, Figures 1–4 show the council's borrowing and its relationship with income and expenditure.

⁷⁹ Evans, *Norwich*, 79–94. Clark, "'The Ramoth-Gilead of the Good', 181–84.

⁸⁰ Pearl, *London*, 172, and ch. 3. Scott, *England's Troubles*, 148.

⁸¹ Goodare, 'Parliament of 1621', appendix.

the capital could afford to pay more. Perhaps more crucially, Edinburgh had also managed to negotiate special deals with the Crown, which enabled them to keep the process of assessment in-house. The town council had successfully protected the private individual from having his business made public, at least until 1633. They had also ensured that bureaucrats, whose loyalty would be to the exchequer, not the burgh, were kept at bay. The contraction of traditional Scottish trading routes must have caused concern, but town councillors may have felt that the root of this was the privy council's failure adequately to advise the king. To those living in Scotland, Charles was a distant figure and it seems credible that blame was not attached, at least initially, to him personally. It was the feeble, emasculated privy council, with its surfeit of episcopal members, who were neglecting their traditional role as mediators for the community at large.

Perhaps of more significance to the political elite was the spiralling cost of the prestigious building projects which began in the mid-1630s. The parliament and session house may have been very expensive, but it was largely uncontroversial and, when completed, would symbolically confirm Edinburgh's prized status as the king's head burgh. Building churches was another matter. While both church and town council, to differing degrees, wanted to ensure that there was sufficient provision for Edinburgh's expanding congregations, there was a cost issue. The solution, common to the bigger burghs in Scotland, was the division of the parish church into separate areas of worship with their own minister and, after 1625 in Edinburgh, their own kirk session. When Charles personally demanded that St Giles' should be raised to a cathedral,⁸² the partitions had to be removed and the south-east parish was evicted, with the north-west congregation expected to follow in due course. Not only was the erection of the bishopric highly contentious, spawning a vigorous campaign against it, but the town council now also had to find the money for two new churches, plus the repairs to St Giles'. There are parallels with Charles's project to dignify St Paul's in London at around the same time, which Laud was also heavily involved with,⁸³ but the Scottish version was undoubtedly more controversial. The association with unpopular ecclesiastical reforms made it difficult

⁸² *Edin Recs 1626-41*, p. xiii.

⁸³ Howarth, *Images of Rule*, 58-66.

for the town council to raise a voluntary subscription, leaving them with an enormous financial liability at a time when the town council was struggling to keep its expenses under control.⁸⁴

These factors helped to alienate Edinburgh's political elite from the Caroline regime, but this does not mean that they were willing to countenance rebellion. On the contrary, it is apparent that the initial protest against the Prayer Book was intended as just that, a protest, which posed a threat to the existing political order only when the government failed to withdraw the Book.⁸⁵ The town council's actions during 1637–38 were largely motivated by the need to prevent popular violence running beyond their control, while also protecting the burgh from royal retribution. Once it was revealed that the king's policy was unworkable, self-preservation halted the prevarication apparent during the autumn of 1637, and the oligarchy closed ranks behind the only viable political power in the country, the supplicating leadership. This enabled the restitution of the urban socio-political hierarchy headed by the town's merchant elite. Until the Engagement crisis of 1648 fractured the unity of the Covenanting movement, Edinburgh's loyalty to the regime was unwavering. At least in part, this was the product of fortuitous circumstances. Unlike Aberdeen or Glasgow, and many towns in England, Edinburgh was not subject to military occupation and its fidelity was only fleetingly tested by the approach of Montrose's forces in 1644.⁸⁶ Does this suggest that Edinburgh's support of the regime, which imposed high taxes and presided over the contraction of international trade, was simply based on the fact that there was no alternative to the Covenanting juggernaut?

There were positive reasons behind Edinburgh's loyalty. As shown in Chapter Seven, 'oligarchic centralism'⁸⁷ proved to possess all the benefits of immediacy which Charles's regime had lacked, while also respecting the town council's elevated status in a way that the king had not. Edinburgh's merchant elite participated in the business of government to an unprecedented degree after 1638. The accusation that 'Thomas Patterson, a Taylor of Edinburgh' (and commissioner

⁸⁴ Chapter One, Tables 1.1 and 1.2.

⁸⁵ This fits with Hobsbawm's classification of the role of riot in rebellions, Hobsbawm, 'Revolution', 14.

⁸⁶ Carlton, *Going to the Wars*, chs. 7 and 11.

⁸⁷ Macinnes, *Covenanting Movement*, 183.

to the Glasgow assembly) had been made as powerful as the king was a rhetorical flourish,⁸⁸ but there is no doubt that the Covenanted regime enhanced the amount of influence Edinburgh could exercise at the highest political levels. This was less about being at the heart of the decision-making process, than having access to the people who were. Merchants wanted to be left alone to make money. Their inclusion within the Covenanted machine enabled them to influence the decisions which affected the economic well-being of the burgh. The capital's proportion of burgh taxation remained low, considering its continued dominance of the Scottish economy, at least until Edinburgh's weakened political position after September 1648 enabled the other burghs to raise the capital's contribution. It seems likely, too, that the purchase of weapons and munitions was virtually dominated by men from the capital with foreign contacts, although the understandable absence of a paper trail makes this difficult to prove conclusively. Edinburgh's baxters ensured that the armies of the Covenant did not march on empty stomachs, while the capital's craftsmen may also have supplied shoes, tents, wagons and all the other miscellanea that follows in the baggage train. Most importantly, however, Edinburgh merchants were the regime's primary source of credit, and as the government was paying interest, their lenders were expecting to make a profit. Edinburgh merchants William Dick and John Smith were at the top of the list for payment out of the English brotherly assistance, second only to the pressing need of the army. Dick would be ruined, while Smith's finances, at best, never recovered, but it is possible that others like James Stewart,⁸⁹ Edward Edgar and John Jossie used their position within the Covenanted regime to ensure that at least some of their debts were repaid. At the very least, they were not so financially embarrassed that a post-Covenanted political career became an impossibility.

There were clearly good political reasons for Edinburgh's support of the Covenanted regime. Upheavals in London during the early 1640s were enabled by the competition between more radical elements in common council and the aldermanic bench, while common

⁸⁸ [Balcanquhal], *Large Declaration*, 306.

⁸⁹ My current work on Covenanted finance suggests that it was specifically Dick's tack of the customs, which were rendered virtually worthless by war and plague, that ruined him. Stewart seems to have been particularly adept at securing repayments, Stevenson, 'Financing the Cause', 113–14.

hall also provided a focus for the interests of the City parliamentary MPs.⁹⁰ In Edinburgh, parliamentary representatives were nominated by a town council which had firm control over its subsidiary committees. The Covenanting regime recognised the importance of political unity at local level and unlike in London, where the creation of a militia committee posed a serious challenge to the established political structures, the town council acted as a war committee in its own right.⁹¹ In contrast with English provincial towns such as York, Edinburgh during the 1640s did not experience the interference of local landed elites in its affairs.⁹² The relationship between the Covenanting regime and the Edinburgh elite was consequently a complementary one. It was beneficial for town council and Covenanting regime alike to prevent the development of rival political interests in the capital.

The Covenanting regime brought more people into government, from a wider cross-section of society, than had ever been possible before, but there was no doubt about who was in charge.⁹³ The complete absence of violence or disorder in the localities before 1644, with the notable exception of the north-east, suggests that the maintenance of the accepted social hierarchy was crucial both to the legitimisation of the movement's aims—this was *not* government by the 'promiscuous and vulgar multitude'⁹⁴—and to the movement's ability to assume and exercise authority.⁹⁵ In Lowland Scotland, a regime which could have become intrusive and domineering, while it was also taxing the kingdom in a distastefully efficient way,⁹⁶ was still able to engender loyalty. Across urban and rural communities, this was possible because the Covenanting regime, for all its centralising

⁹⁰ Brenner, *Merchants and Revolutionaries*, ch. 7.

⁹¹ Brenner, *Merchants and Revolutionaries*, 428, 451–55. *APS*, vi, pt.i, 51, 64, 200; vi, pt.ii, 66.

⁹² In the absence of presbytery records for Edinburgh, it is difficult to know the nature of the town council's relationship with the influential Edinburgh presbytery. For York, see P. Withington, 'Views from the Bridge: Revolution and Restoration in Seventeenth-Century York', *Past and Present*, clxx (2001), 133–39.

⁹³ Stevenson, *Scottish Revolution*, 304–5. Scally, 'Covenanter Parliaments', 146.

⁹⁴ *RPCS*, 2nd ser., vi, 541.

⁹⁵ Adams, 'Regional Road to Revolution', 59, 62, 134, 200. In general, J.S. Morrill and J.D. Walter claim there was no breakdown of order in England, see 'Order and Disorder in the English Revolution' in A. Fletcher and J. Stevenson (eds), *Order and Disorder in Early Modern England* (Cambridge, 1985), 137, 150–53.

⁹⁶ See Appendix, Figure 5 for the rise in taxation in Edinburgh during the 1640s.

tendencies, was extremely good at co-opting the traditional local elite into government. Instead of being threatened by the creation of novel bureaucratic and military structures, local communities supported and participated in them. In Edinburgh, the merchant oligarchy retained control of the town council throughout the 1640s, and even the purge of 1648 did not fundamentally alter its social composition. There were attempts to influence who would be provost of Edinburgh but until 1648, no Covenanter, not even Argyll, tried to circumvent the town's established customs, as Charles I had done, by imposing his own candidate. This was in marked contrast to the situation in England, where the establishment of competing bureaucracies after 1642 generated a 'march towards chaos' in local administration.⁹⁷

The campaigns of the marquis of Montrose could seriously have tested Edinburgh's relationship with the Covenanting regime, as occurred in Aberdeen and Glasgow. As it turned out, a terrible plague epidemic kept Montrose out of the capital, while his inability to raise supply or keep men in the field, the incoherence of his overall strategy and the fact that the Covenanters still had 20,000 loyal men stationed in England, eventually showed that Montrose's power was a mirage. It was not until the Engagement, therefore, that the political consensus manufactured in Edinburgh by the Covenant began to break apart. Like the Perth Articles, the Engagement once more brought the godly into opposition with more pragmatic elements in the town, but in a reversal of the situation during the 1620s, it was Edinburgh's ministers who were the radicals. While they engineered a vociferous campaign that once again turned the burgh into a focal point for opposition, political moderates on the town council chose to vote for the Engagement. Although there are dangers in assuming that popular opinion was any more homogeneous than that of its social superiors, it does seem to be the case that it was the ministers who were more in tune with a wider body of opinion in the town. It was, perhaps, hardly surprising that many in Edinburgh were hostile to the Engagement. The town's inhabitants had made an enormous financial and political investment in a revolution that had guaranteed their religious practices, re-established their status as a capital and restored the unity of their community. The wives of Edinburgh, it was said, saw no reason why their hus-

⁹⁷ Morrill, *Revolt in the Provinces*, 90–111 [quotation, 91].

bands should fight another (expensive) war, for a king who would jeopardise everything that had been achieved over the previous decade.⁹⁸

The Covenanting experiment ended for Edinburgh's inhabitants when their burgh was occupied by the English, but the 1640s cast a long shadow over the burgh's development. Lives were undoubtedly destroyed by disease and war. The prosperity of the burgh was seriously affected by the contraction of trade and the depletion of reserves of liquid capital, so much so, that the civil war period may have loosened Edinburgh's monopolistic grip on international trade. As a political entity, Edinburgh fared rather better, enduring, stoically as it seems, the pressures of war and the ignominy of English occupation. Remarkably, its constitutional structure and social make-up remained almost entirely unaffected, in marked contrast to London.⁹⁹ Although the Covenants were consigned to the dustbin of history by nervous political leaders, its impact on the shaping of a Protestant national identity amongst the burgeoning professional classes of the capital was arguably a deep and lasting one. The 1640s may also have entrenched Edinburgh's sense of itself as a capital of a sovereign nation. The Covenanting regime had owed its existence to the country's leading urban centre, which gave it a home with access to the finest lawyers and the richest merchants. Edinburgh was confirmed in its status as the watchtower of the church and as the home of a legal establishment now increasingly being seen as distinctively Scottish. These developments were not the peculiar product of the Covenanting period, nor does it make up for the fact that in the most fundamental sense—surviving—the regime was a failure, but this does not render the period insignificant.¹⁰⁰

The Covenanting era is critical to understanding the long, bumpy and uneven transition from medieval kingdom to early modern state. The regime's massive expansion of the personnel of government, its attempts to modernise an antiquated tax regime, the inherent need, in the absence of the monarch, to govern through some manner of consensus, and its attempts to direct a more uniform network of

⁹⁸ Stevenson, *Revolution and Counter-Revolution*, 82–3. For a brief overview of popular opinion in seventeenth century politics, see Withington, 'Views from the Bridge', 122–25; Underdown, *Freeborn People*, 45–50.

⁹⁹ Pearl, *London*, 224, 225, 230, 235, 237.

¹⁰⁰ Stevenson, *Revolution and Counter-Revolution*, 203.

local agencies from the centre—all while supplying standing armies active across three kingdoms—auger the bureaucratic, fiscal and military developments of the late seventeenth and early eighteenth centuries. What happened after 1638 was very much more than simply a *coup*, a transfer of power from one body of people to another that leaves the existing system more or less intact. Circumstance had forced the Covenanters into developing an innovative and distinctive committee system of government that, after 1641, allowed them to exercise power with only nominal reference to the monarch. This was, in effect, rule by John Knox's inferior magistrates, and although Covenanting propaganda was careful to stress loyalty to monarchy, it also justified resisting the will of God's anointed because Charles had failed to protect the 'Religion, Liberties and Lawes of the Kingdome'. The Covenanting regime was not the starting-point for these ideas, but rather the working out of a post-reformation Scottish radical tradition that viewed monarchy as contractual—a tradition that James VI's own writings had attempted to overturn. If the spectre of a disintegrating socio-political hierarchy persuaded much of the political nation to embrace divine-right monarchy in the 1660s, theories of contractual kingship did not disappear. The 1689 Claim of Right asserted that James VII's 'profest' Catholicism went hand-in-hand with the subversion of 'the fundamental constitution of this Kingdom'. Nearly twenty years later, the reality of a 'limited, legal' and protestant monarchy was one of the foundations of a parliamentary union between Scotland and England that, nonetheless, purported to recognise their different legal, constitutional and, above all, religious heritages.¹⁰¹

These were exactly the issues that the Covenanters had grappled with during the 1640s. The Covenanting regime was, ultimately, destroyed by its 'pan-British plans', but the idea of a closer association with England was neither 'wildly unrealistic' or 'outrageous'.¹⁰²

¹⁰¹ 'The National Covenant, 1638' in Donaldson, *Scottish Historical Documents*, 200, 253 [quotations]. *John Knox: On Rebellion*, ed. R.A. Mason (Cambridge, 1994), pp. iii–xix, xxi–xxiv. See also George Buchanan's theory that kings who made laws would be above the law, and therefore legislative authority had to reside with 'the people', although he did not strictly specify in what way 'the people' would manifest this authority. Buchanan's ideas are particularly relevant to Charles I's reliance on prerogative rule. Mason and Smith, *A Dialogue*, pp. liii–lvi, lviii–lxi. Coffey, *Politics, Religion*, 150–51, 169–72, 176–78. Thanks go to Roger Mason for assisting with this paragraph.

¹⁰² Scally, 'Covenanter Parliaments', 139, does not elaborate on these points, but

It was a practical response to the problem of being the junior partner within a multiple monarchy. That England should be encouraged to adopt religious structures similar to Scotland's was not a ridiculous idea, but it did become an increasingly unrealistic one after a precariously resourced army failed to deliver the expected knock-out blow in 1644. The question is what *would* have been a realistic course of action in order to secure permanently the Covenanted revolution in Scotland. With a king as wholly untrustworthy as Charles, Scotland could neither leave him to make a settlement with the English parliament alone, nor could it make a settlement with Charles that ignored the most powerful military force in Britain. Had the Covenanters been confident enough to let England make its own religious settlement after 1643, the most contentious points dividing the Scottish and English regimes, which Charles I was most able to exploit, would have been removed. An Anglo-Scottish parliamentary alliance could have prioritised limitations on the Crown's prerogative ahead of religious considerations. Such an alliance would have protected the sovereignty of the two parliamentary regimes while allowing latitude on all but the fundamentals of protestant worship. This might have created more fertile ground for a lasting peace between the two kingdoms—the parliamentary union of 1707 has its flaws, but it still exists.

Much work still needs to be done on the Covenanted regime. It is still chiefly understood in terms of the actions of a tiny political elite, yet John Morrill's work has long since shown the importance of putting regional experiences, responses, loyalties and influences into the frame.¹⁰³ Such an approach is particularly essential in Scotland, where attitudes towards national church and government were complicated by awareness of a British dimension to their problems, and a realisation that a solution that disregarded England and Ireland would be no solution at all. This book has described one highly particular but very important locality, Edinburgh, through which to assess the civil wars. As a community, it engaged in debates about the nature of the religious settlement in Scotland and its relationship with the English church. It was aware of the campaigns of 1621, 1630 and 1633, which sought to find some means of bringing the

on the other hand, that was not the focus of the piece. I agree here with Stevenson, *Revolution and Counter-Revolution*, 177–78.

¹⁰³ Morrill, *Revolt in the Provinces*, 24–5.

king's attention to a growing sense of alienation amongst the political nation. These big debates were, nonetheless, conducted within the parameters of local politics. Edinburgh was particularly conscious of its own self-interest and provosts who forgot this rapidly became very unpopular.¹⁰⁴ Ideological differences between royal and Covenanting regimes, or between moderates and radicals, really had limited direct bearing on the everyday activities of most Edinburgh inhabitants. To a certain extent, this even remained the case after 1651. It was the town council that gave order to their existence, because it permeated every corner of burgh life, to an extent that even the church struggled to match. If this book has one unifying thread of continuity, therefore, it is the remarkable stability of Edinburgh government, throughout years of revolution, war, disease and occupation. 'Our State is very averse to hear of our League and Covenant', lamented Robert Baillie in 1661.¹⁰⁵ Edinburgh town council, who disavowed it in January 1664, may have been more averse than most. Never again would a religious ideology threaten the burgh's ability to protect its own 'particular',¹⁰⁶ which was, after all, what Edinburgh was best at.

¹⁰⁴ Hughes, *English Civil War*, 19. Morrill, *Revolt of the Provinces*, 25.

¹⁰⁵ Baillie, iii, 448.

¹⁰⁶ Lynch, *Edinburgh*, 7, quoting David Calderwood.

CHRONOLOGICAL OVERVIEW: SCOTLAND, 1603–1653

This overview covers the main political and religious events affecting Scotland during the first half of the seventeenth century. It provides a companion to the thematic first half of the book, where explanations of key events have been kept to a minimum, and places the narrative of the second half in its wider political context.

A Note on Scottish Church Government

Although James had waged a successful campaign to restore episcopacy by 1610, the presbyterian structures erected in the decades after the reformation survived. The church was nominally governed by the general assembly, but the role of the monarch, especially in important matters such as excommunication, became highly contentious. Their frequency declined sharply after 1600. Scotland was subdivided into synods that retained biannual meetings but were rendered more or less coterminous with the thirteen episcopal dioceses. Presbyteries were made up of the ministers of a given locality's churches. Its principal functions were the ordination, appointment and discipline of ministers, and oversight of the lowest church court, the kirk session. Presbyteries had adopted a wide remit and were undoubtedly the most troublesome feature of the presbyterian church structure because they provided a regular meeting point for the clergy. Kirk sessions were made up of lay elders and deacons, who assisted their ministers in the organisation of poor relief and the exercise of social discipline.

- Mar. 1603 Union of the crowns. Elizabeth I of England dies, James VI of Scotland now also James I of England. James tries to achieve full union between his two kingdoms but by 1607 hostility on both sides of the border has forced James to abandon his plans.
- Jul. 1606 Act restoring diocesan episcopacy.
- Mar. 1605 Alexander Seton, earl of Dunfermline, appointed chancellor of Scotland. A crypto-Catholic, regarded with

- suspicion by the bishops. Disinclined to involve privy council in religious policy.
- Dec. 1606 Bishops made constant moderators of presbyteries.
- Feb. 1610 Establishment of two courts of high commission, based at the archiepiscopal seats of Glasgow and St Andrews. Primary function is enforcement of Protestant conformity. Possesses wide remit, with powers of fining, warding and imprisonment.
- Jun. 1610 Act restoring full ecclesiastical and secular jurisdiction of bishops, confirmed by parliament in 1612. Presbyteries were not abolished but their ability to act independently was significantly curtailed. Bishops also given power to approve or withhold sentence of excommunication. Followed by consecration of 3 Scottish bishops in England.
- Jan. 1611 Death of the treasurer, George Home, earl of Dunbar, leaves Dunfermline as Scotland's leading political figure.
- 1615 Death of George Gledstanes allows promotion of John Spottiswoode to the archbishopric of St Andrews.
- Aug. 1616 First assembly since 1610 authorises work to begin on a liturgy and canons. Abandoned after James reveals more controversial plans for reform of Scottish worship.
- May 1617 James arrives for his first and last visit to Scotland since 1603.
- Nov. 1617 St Andrews general assembly rejects reforms to Scottish worship later known as Five Articles of Perth. Episcopal confirmation of children, private baptism and private communion were relatively uncontroversial. Celebration of four holy days from the life of Christ much more problematic as the practice resembled saints' days. Kneeling to receive the sacrament especially controversial. Lowland Scots customarily took communion seated and associated kneeling with Catholic practice.
- Aug. 1618 A carefully managed Scottish general assembly at Perth—the last for twenty years—accepts Five Articles. Alleged that Spottiswoode had promised leniency on enforcement and the abandonment of any further reforms. James's desire for conformity to Articles splits the church. Edinburgh, the seat of royal government, becomes the hub of the resistance network.

- Nov. 1621 James's need for money to fund his son-in-law's campaign to regain Bohemia and the Palatinate (outbreak of Thirty Years' War, 1618–48) forces him to call parliament in Scotland. Ruthless government management secures the Articles and the king's tax, which includes a controversial new assessment of the interest paid on loaned money (annualrents). James believes that the opponents of the Articles have been vanquished, but his government know that resistance is being maintained through private meetings, known as conventicles, and anti-Articles propaganda.
- Jun. 1622 Death of Chancellor Dunfermline. George Hay of Kinfrauns, earl of Kinnoull, becomes chancellor.
- Mar. 1625 Death of James VI and I. Accession of his son, Charles I.
- Oct. 1625 Charles issues the Revocation. In theory, it purports to revoke all grants of land made since 1542. Intended to compensate lay landholders for the return of their ecclesiastical lands to the church. Scheme poorly explained, creating widespread resentment amongst landholders.
- Mar. 1626 William Alexander, earl of Stirling, appointed secretary of state for Scotland, resident in London. Charles begins process of sidelining James's old servants and replacing them with his own men, especially bishops. Culminates in reorganisation of privy council in 1631.
- Mar. 1632 Edinburgh town council agrees to build a new parliament, session and council house.
- Jun. 1633 Charles's much-anticipated Scottish coronation parliament. A public relations disaster. The king's authoritarianism, his refusal to countenance any dissent in parliament and his use of ceremonial considered offensive in the Scottish church offends a wide cross-section of the political elite.
- Oct. 1633 Charles orders the creation of the bishopric of Edinburgh.
- 1634 Scottish clerics begin work on a book of canons, book of ordination and Prayer Book, intended for use throughout the kingdom.
- Jul. 1634 Chancellor Hay heads privy council for the last time. Spottiswoode now effectively leading the government. Formally appointed as chancellor, Dec. 1634.
- Dec. 1634 John, Lord Balmerino tried for treason. In possession of petition against the parliamentary legislation of 1633. Found guilty but later pardoned.

- May 1636 John Stewart, earl of Traquair appointed treasurer.
- Jul. 1637 Riots in Edinburgh when Prayer Book read for first time in the burgh. Supplication campaign against the Book begins. No rioters are prosecuted. Spottiswoode recommends suspension of Book.
- Oct. 1637 Second riot in Edinburgh when king's proclamation upholds Prayer Book, demands that supplicants leave Edinburgh and withdraws privy council and court of session from the capital. Edinburgh town council agrees to join the supplicants.
- Nov. 1637 Supplicants organise into four 'Tables', representing ministers, burgesses, lairds and nobility. Executive Table, with representatives from the other four, coordinates activity.
- Feb. 1638 Archibald Johnstone of Wariston, an Edinburgh lawyer, draws up the National Covenant, read and signed for first time at Greyfriars' church, Edinburgh. Composed of 1581 Confession of Faith and long summary of parliamentary acts against popery. Signatories pledge to defend religion, liberties and laws of Scotland, and king's person and authority. No explicit condemnation of bishops; request for a general assembly and parliament to assess current state of church. No resolution of what happens when king's authority clashes with religion.
- Jun. 1638 King's commissioner, James, marquis of Hamilton, arrives in Scotland.
- Nov. 1638 Glasgow general assembly. Bishops advised not to attend by Hamilton, for fear of violence against them. Hamilton attempts to dissolve assembly. It continues in his absence. Episcopacy, the Prayer Book and the Five Articles 'abjured'.
- Jun. 1639 First Bishops' War. Charles's English army meets the Scots Covenanters at Kelso but both sides withdraw from conflict. Pacification of Berwick follows, but disagreements between king and Covenanters soon render Pacification redundant. Edinburgh Castle rendered to the royalist governor, Patrick, Lord Ruthven, as a condition of peace.
- Aug. 1639 Commissioner Traquair fails to prevent general assembly at Edinburgh from declaring episcopacy unlawful. Ratified by parliament (Aug.–Nov. 1639).
- Apr. 1640 Edinburgh Castle begins bombardment of town.

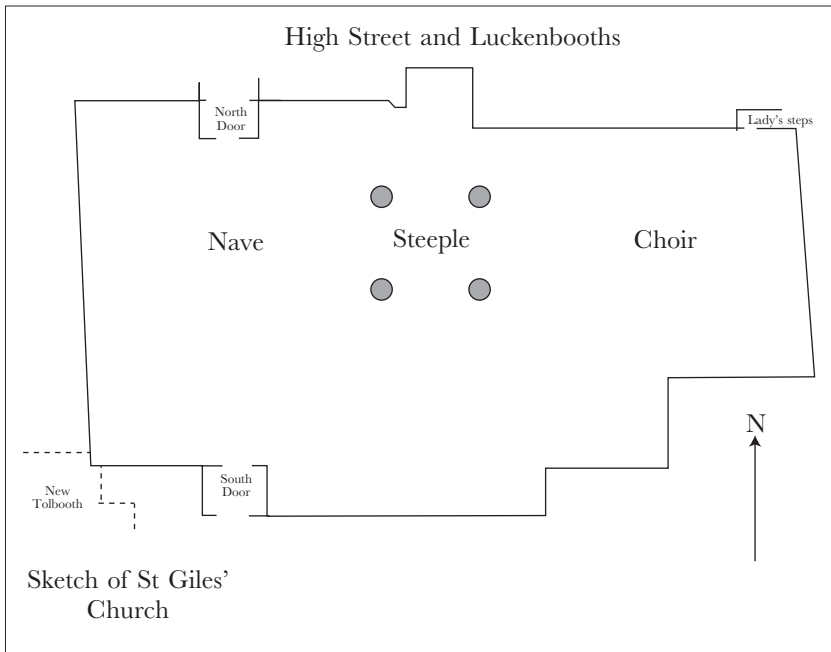
- Jun. 1640 Scottish parliament passes triennial act, enabling it to convene itself every three years, rather than according to the king's will. Committee of estates formed to govern Scotland between parliamentary sessions.
- Aug. 1640 Second, Bishops War. Scottish forces cross Tweed and defeat king's army at Newburn. Negotiations for peace begin at Ripon, conclude at Westminster with the Treaty of London, Jun. 1641.
A number of Scottish nobles, including James Graham, marquis of Montrose, meet at Cumbernauld, and secretly sign a band for defence of Covenant and king. Primarily meant as challenge to leading Covenanter, Archibald Campbell, marquis of Argyll.
- Aug. 1641 Charles attends Scottish parliament in Edinburgh. Ratifies all legislation passed since 1638. Plots increase distrust of the king.
- Apr. 1642 Scots send assistance to Ulster Protestants after Irish rebellion (Oct. 1641).
- Aug. 1642 Charles I raises standard at Nottingham; outbreak of English civil war.
- Aug. 1643 After intense debate, Covenanters agree to support parliament in war against king by sending army into England. Scots expect that decisive intervention will give them strong bargaining position when king is defeated. Imposition of presbyterianism in England and preservation of rights of parliament are key aims. English parliament accepts Solemn League and Covenant (Sep. 1643). Scottish commissioners sent to aid Westminster Assembly on religious reform.
- Jan. 1644 Scottish forces cross Tweed. Besieging Newcastle prevents Scots making decisive break-through.
- Sep. 1644 In wake of rebellion in north-east Scotland, Montrose secures first victory against Covenanters at Tippermuir. Subsequent successes at Inverlochy, Auldearn, Alford, Kilsyth in 1645.
Plague appears in Scotland, probably brought into country by soldiers returning from north of England. Ravages most of Lowlands between 1645 and 1647.
- Oct. 1645 Montrose holds rival parliament at Glasgow; defeat at Philiphaugh (Sep. 1645) not taken to be decisive at the time.

- May 1646 Charles I gives himself over to Covenanters at Newark after months of negotiation; hopes to use divisions this creates to help reverse defeat by New Model Army in England. Scots present Newcastle Propositions. Charles must sign Covenants and reform English church along presbyterian lines. Montrose ordered to disband, allowed to leave Scotland.
- Jan. 1647 No agreement between Scots and king, which in meantime has jeopardised their alliance with parliament. The Scots return the king to English parliament. Scots army receives £100,000 sterling, returns to Scotland.
- Nov. 1647 Negotiations focused on 'Heads of the Proposals' fail. Charles escapes to Isle of Wight. Covenanters divide between moderates, under Hamilton's leadership, and radicals, under Argyll.
- Dec. 1647 Fearing that the king is about to make a separate agreement with English parliament, three Scots commissioners conclude the Engagement with the king, without the agreement of the committee of the estates. In return for concessions in civil and religious matters (most of which were not permanently binding), Scots agree to give military support to the king if English parliament refuse to make peace on the terms expressed in the Engagement. English parliament forbids further negotiations with Charles. Against background of royalist-encouraged local risings, English army vows to bring king to justice for starting second civil war.
- 1648 Hamilton's faction persuades parliament to agree to the Engagement (Mar.) and an army is mustered (Jul.), despite resistance by ministers and Argyll's faction. Army beaten by Oliver Cromwell at Preston (Aug.), effectively ends second English civil war.
- Sep. 1648 News of defeat of Hamilton's army precipitates rising in west of Scotland—Whiggamore raid. Civil war between remodelled army of Western Association (anti-Engagers) and remaining Engager forces looms. Western Association negotiates for the disbanding of the Engager forces as Cromwell's army enters Scotland. Argyll's radical faction and Engagers both agree to disband, leaving radical faction temporarily dependent on Cromwell's

- presence. Former Engagers are barred from holding public office but not imprisoned or estates confiscated.
- Jan. 1649 Trial and execution of Charles I.
- Feb. 1649 Scots proclaim Charles II king of Great Britain and Ireland. This in effect makes Scotland the enemy of the English Republic.
- Radical faction begin implementing programme for moral and religious reform.
- Rising in far north. Radical faction execute imprisoned royalist, George Gordon, marquis of Huntly.
- Mar. 1649 Hamilton executed in England (under his English title, earl of Cambridge).
- Negotiations with Charles II in Holland. Exiled Montrose attends the king. In return for Scottish help to recover English throne, Charles agrees to honour legislation ratified by his father up to 1641, but refuses to impose Solemn League and Covenant in England without parliamentary assent. Terms not accepted by Scots, negotiations cease (May).
- Jun. 1649 Scots army purged of former Engagers, despite threat posed by Cromwell (currently subduing Ireland).
- Jan. 1650 Charles decides to re-open negotiations with Scots after Cromwell closes off Ireland as potential royalist base.
- Mar. 1650 Montrose arrives in Scotland. His forces are beaten at Carbisdale (Apr.) although Montrose escapes. Captured and, with other prominent royalists, executed in Edinburgh. Argyll, whose reputation has been weakened amongst radicals by dealing so enthusiastically with the king, takes no part in these proceedings.
- Scots commissioners arrive at Breda. Conclusion of treaty with king, but no agreement made by him to sign Covenants.
- Jun. 1650 Without alternative options, Charles unwillingly signs Covenants, arrives in Scotland. Celebrations held in Edinburgh. King is allowed to exercise government, but committee of estates does so without consulting him. His household purged of 'malignants'.
- Oct. 1650 Western Remonstrance criticises government for allowing Charles to exercise government before his sincerity to Covenants has been tried. They withdraw from kirk

- commission, set up to manage affairs of church. These extreme Covenanters, who have no noble support, become known as Remonstrants.
- Jul. 1650 Cromwell crosses Tweed; purges of army continue.
- Sep. 1650 Scots defeated at Dunbar by Cromwell.
- Dec. 1650 Moderates in kirk commission pass ‘public resolutions’, allowing all measures necessary for the defence of the kingdom. In effect restores purged former Engagers to army and government (Mar. 1651). Those who support this measure known as Resolutioners. Opponents known as Protestors. Remonstrants are at forefront of Protestor efforts, although many Protestors had not supported Oct. 1650 Remonstrant. Attempts at reconciliation between Resolutioners and Protestors fail. Edinburgh Castle surrenders to Cromwell amid accusations of treachery.
- Jan. 1651 King’s coronation held at Scone; Argyll places crown on his head.
- Jul. 1651 After period of illness, Cromwell resumes offensive. Fife and Perth secured, preventing Scots army at Stirling from recruiting men and supplies from east and north. Their only option, as Cromwell intended, is to march on England.
- Aug. 1651 Remnant of committee of estates taken by surprise at Alyth, near Dundee, leaving Scotland without a government. Dundee sacked by English army (Sep.).
- Sep. 1651 Cromwell routs Charles II’s forces at Worcester. Charles escapes but 10,000 Scots are captured.
- Feb. 1652 Declaration that all power, jurisdiction and authority vested in Charles Stuart annulled.
- Dec. 1653 Declaration of Commonwealth of England, Scotland and Ireland.

THE DIVISIONS OF ST GILES' CHURCH



The partitioning of St Giles' into several churches after the reformation has generated confusion. Walls seem to be perpetually going up, moving about and coming down again. There was no consistent naming of the churches that were created. In 1598, the burgh was apparently divided into four parishes, although no formal instruction regarding this exists in the council's records. It seems that by the turn of the century, an east kirk had been created out of the choir, a mid-kirk (also known as the old or sometimes great kirk) out of the nave and a tolbooth kirk from the western corner of St Giles' appended to the tolbooth. Anecdotal evidence suggests that chaos reigned during the 1590s, not least due to intermittent royal interference. With the opening of Greyfriars' in 1620 (proposed in 1601, begun in 1612), the south-west parish vacated the west kirk, which was then used for a variety of secular functions. *Edin Recs 1589–1603*, 221, 237, 249, 275. *Fast*, i, 37. J. Cameron Lees, *St Giles', Edinburgh: Church, College and Cathedral* (Edinburgh and London, 1889), 192.

Confusion arises over the terms high kirk and great kirk. The high kirk is associated with the choir, but confusingly, it was also known as the new, east or little kirk. It has been assumed that the great kirk was therefore sited in the nave, but town councillors are recorded as having their seats in both the high and great kirks, suggesting that the term was used interchangeably. The great kirk was also where the court of session, privy councillors and the king were assigned their own seating. It seems likely that this did mean the nave, which was easier to access from the old and new tolbooth, and provided a more stately processional route, than the choir. *Edin Recs 1589–1603*, p. xiv, 135, 142, 249. See also index, Kirk, Parishes and St Giles'. *Fasti*, i, 48. Cameron Lees, *St Giles*, 100, 168, 262.

Some manner of order was not imposed until the explicit reordering of the parishes in November 1625, but the information seems contradictory. In 1625, the north-west parish was given the high kirk, while the south-east parish moved into the 'new or eist kirk'. There is clearly a problem here—if the high kirk was traditionally located in the choir, at the east end of St Giles', this would place the south-east parish to the west of the choir, in the nave. This suggests that the south-east congregation went into the choir (frequently called the new or east kirk), while the north-west congregation occupied the larger space of the nave. This also makes geographical sense, the choir being on the south and east side of the church, and the nave more readily accessible from the north and west. *Edin Recs 1604–26*, 290. *Fasti*, i, 48, Cameron Lees, *St Giles'*, and Stevenson, *Scottish Revolution*, 401–2, do not mention the 1625 reorganisation.

In 1633, St Giles' was raised to a cathedral and orders were given for the partition walls, currently sectioning off the choir to the east and the western corner appended to the tolbooth, to be taken down. The fact that it was the south-east parish that had to find new accommodation, because of the restoration of the choir, again suggests that this had been their home since 1625. It was probably assumed that the north-west parish could continue to use the nave of the cathedral, as that congregation was not assigned a new location. Between September 1634 and July 1635, however, the town council may have been told that both congregations would have to vacate St Giles', as the building of two new churches, at Castlehill and the Tron, now features for the first time. The Castlehill church was later mentioned as the prospective home for the north-west congregation, as yet occupying St Giles'. The evicted south-east

congregation had gone into the tolbooth, thereby preventing the demolition of the partition walls at the western corner of St Giles', but their eventual destination was intended to be the Tron church. *Edin Recs 1626-41*, 134, 137, 148, 174, 181.

The deterioration of relations between Charles I and his Scottish subjects occasioned the restoration of the division wall between the choir and the nave. This was agreed by the town council in January 1639 but nothing was done before June, when preparations were made for holding the general assembly there. In August 1640, the north-west parish were temporarily housed in the choir, now restored and provided with pews. No mention was made of the south-east parish, who had presumably remained in the western corner of St Giles'. The parishes were reorganised in December 1641. Two new parishes, north and south, would occupy the choir and mid-kirk respectively, although the south parish had to take up temporary lodgings in either the parliament house or college hall. A remodelled north-west parish was put into the tolbooth kirk, while the south-east was given a temporary home in the mid-kirk until the completion of its final home, the Tron. It is my supposition that the Castlehill church had been seriously damaged during the bombardment of Edinburgh in the summer of 1640, making a potential completion date so uncertain that the town council saw no point in assigning it a parish in 1641. *Edin Recs 1626-41*, 213, 243. ECA, Account of the Building and Repair of Churches, 1635-47.

TABLE 1: THE OFFICE-HOLDERS OF EDINBURGH,
1616–1652

<i>Election Year</i>	<i>Provost</i>		<i>Bailies</i>	<i>Dean of Guild</i>	<i>Treasurer</i>
1616	William Nisbet	Archibald Addison	John Fairlie	David Aikenhead	John Byres
1617	William Nisbet	James Ainslie	Joseph Marjoribanks	David Aikenhead	William Rae
1618	William Nisbet	David Richardson	Alexander Pearson	David Aikenhead	William Dick
1619	Alexander Clerk	John Byres	Alexander Clerk	David Aikenhead	Peter Sommerville
1620	David Aikenhead	James Cochrane	George Foulis	David Aikenhead	Peter Sommerville
		Nicol Uddard	Alexander Ker	John Byres	
		William Dick	Mungo McCall		
		John McNacht	Robert Dougall		
1621	David Aikenhead	James Ellis	John Fairlie/Henry Morrison	John Byres	Alexander Speir
1622	William Nisbet	Andrew Simpson	David Richardson	John Byres	Alexander Speir
1623	Alexander Clerk	Gilbert Acheson	James Ainslie	John Byres	George Suittie
1624	Alexander Clerk	John Sinclair	James Inglis	John Byres	George Suittie
1625	David Aikenhead	Mungo McCal	David Mitchelsonl	John Byres	George Suittie
1626	David Aikenhead	Peter Somerville	William Rig, ygr	John Byres	George Suittie
1627	David Aikenhead	William Dick	John McNacht	John Byres	George Suittie
1628	David Aikenhead	Archibald Tod	Andrew Purvis	John Byres	George Suittie
1629	David Aikenhead	Andrew Ainslie	Patrick Ellis	John Byres	George Suittie
1630	Alexander Clerk	Nicol Uddard	William Reid	John McNacht	John McNacht
1631	Alexander Clerk	Gilbert Acheson	Peter Blackburn	John McNacht	James Rae
1632	Alexander Clerk	David Richardson	William Brown	John McNacht	David
1633	David Aikenhead	Thomas Charteris	Alexander Speir	John McNacht	McCall
1634	David Aikenhead	Gilbert Williamson	George Suittie	John McNacht	David
1635	David Aikenhead	Edward Farquhar	Alexander Herior	Joseph Marjoribanks	McCall
1636	David Aikenhead	Archibald Tod	John Sinclair	Joseph Marjoribanks	William Gray
1637	David Aikenhead	James Ainslie	James Cochrane	Joseph Marjoribanks	William Gray
1638	David Aikenhead	William Reid	Edward Edgar	Joseph Marjoribanks	James Loch
1639	David Aikenhead	Gilbert Acheson	John Rind	Joseph Marjoribanks	James Loch
1640	David Aikenhead	Nicol Uddard	Andrew Simpson	Joseph Marjoribanks	James Loch
1641	David Aikenhead	Robert Acheson	Thomas Charteris	Joseph Marjoribanks	James Loch
1642	David Aikenhead	John Smith	William Dick	Joseph Marjoribanks	James Loch
1643	David Aikenhead	George Baillie	William Gray	Nicol Uddard/	James Loch
1644	David Aikenhead	John Sinclair	James Murray, elder	Joseph Marjoribanks	James Loch
1645	David Aikenhead	Edward Farquhar	Robert Fleming	William Dick	James Loch
1646	David Aikenhead	William Reid	David McCall	John Sinclair	David McCall
1647	David Aikenhead	Alexander Denniston	Edward Edgar	John Sinclair	David McCall
1648	David Aikenhead	Archibald Tod	Alexander Speir	John Sinclair	Charles Hamilton
1649	David Aikenhead	Stephen Boyd	John Rind	John Sinclair	James Routhead
1650	David Aikenhead	Gilbert Williamson	George Suittie	John Sinclair	James Routhead
1651	David Aikenhead	Andrew Ainslie	James Cochrane	John Sinclair	James Routhead
1652	David Aikenhead	John Smith	Charles Hamilton	John Sinclair	James Routhead

(cont.)

<i>Election Year</i>	<i>Provost</i>		<i>Bailies</i>	<i>Dean of Guild</i>	<i>Treasurer</i>
1637	John Hay	Robert Fleming William Wilkie	William Gray John Trotter	John Sinclair	James Roughhead
1638	William Dick	Robert Acheson John Kniblo	Thomas Charteris Edwrad Edgar	James Cochrane	John Fleming
1639	William Dick	John Binnie George Suittie	Stephen Boyd James Roughhead	James Cochrane	John Fleming
1640	Alexander Clerk	Patrick Baxter John Smith	James Murray, elder William Reid	Peter Blackburn	William Trotter
1641	Alexander Clerk	John Fleming John Trotter	William Gray John Pearson	Archibald Tod	William Trotter
1642	Alexander Clerk	Edward Edgar Archibald Sydserf	Robert Fleming John Kniblo	Archibald Tod	Thomas Moodie
1643	John Smith	John Binnie Robert Masterton	Thomas Charteris James Ellis	George Suittie	John Fairholm
1644	John Smith	Robert Acheson George Walker	John Inglis Andrew Simpson	George Suittie	John Fairholm
1646*	John Smith	Laurence Henderson James Stewart	John Pearson James Roughhead	George Suittie	John Jossie
1646	Archibald Tod	Edward Edgar Archibald Sydserf	John Fairholm John Jossie	George Suittie	Patrick Thomson
1647	Archibald Tod	Robert Fleming Robert Sandilands	Hugh Hamilton Robert Masterton	George Suittie	Thomas Leishman
1648	James Stewart	John Denhom David Wilkie	Laurence Henderson James Roughhead	George Suittie	John Hilston
1649†	James Stewart	John Binnie Patrick Thomson	Robert Foulis Robert Lockhart	George Suittie	John Liddell
1652	Archibald Tod	Thomas Calderwood John Marjoribanks	James Ellis John Jossie	James Roughhead	Andrew Bryson

* The 1645 election was delayed on account of the plague until March 1646. Elections resumed their normal pattern that October.

† Between 1649 and 1652 there was no official treasurer, but John Forrester kept a basic account for those years.

Sources: *Edin Recs 1604–26, 1626–41, 1642–55*. ECA, Town Treasurer's Accounts, vols. iv–vii.

TABLE 2: THE MINISTERS OF EDINBURGH

Parishes 1625:	north-west	nave of St Giles'
	north-east	Holy Trinity
	south-east	choir of St Giles'
	south-west	Greyfriars'
Parishes 1641:	north-west	west side of St Giles' (adjoining the tolbooth)
	north	choir of St Giles' (high or east kirk)
	north-east	Holy Trinity
	south-east	Tron (mid-kirk of St Giles' until completion)
	south	mid-kirk, St Giles' (parliament house or college until mid-kirk vacated)
	south-west	Greyfriars'

<i>Minister</i>	Admission	Departure	Details
St Giles': no defined parish			
Patrick Galloway	Jun 1607	d. Feb 1626	High Commission; signs Protestation 1617
Thomas Sydserf	May 1611	tr. 1625	Signs Protestations 1617; tr. to Trinity
William Struthers	Apr 1614	tr. 1625	tr. to High Kirk
John Guthrie	Jun 1621	tr. 1623	Bishop of Moray
William Forbes	Mar 1 622	tr. 1625	tr. to East Kirk
High Kirk: first charge			
John Hall	Feb 1610	dem.Mar 1619	High Commission; signs Protestation 1617, d.1627
William Struthers	Jan 1626	tr. Jan 1634	Signs Protestation 1617; Dean, d. Nov 1634
Thomas Sydserf	Jan 1634	tr. Jul 1634	Dean of Edinburgh; Bishop of Brechin
James Hannay	Mar 1635	dep. Jan 1639	Dean of Edinburgh; Reads Prayer Book; d. c.1661
Alexander Henderson	Jan 1639	d. Aug 1646	Opposes Perth Articles; moderator 1638 Assembly
George Gillespie	Sep 1647	d. Dec 1648	Attends Westminster Assembly
Robert Douglas	Dec 1648	tr. 1662	tr. to Greyfriars; Protestor; dep.1662; Pencaitland

High Kirk: first charge			
Peter Hewat	Feb 1610	dep. Jul 1617	writes Protestation; stipend paid until 1619; d.1645
<i>no second</i>	<i>1617–22</i>		
John Maxwell	Jul 1622	tr. 1625	tr. to Trinity
<i>no second</i>	<i>1625–28</i>		
Alexander Thomson	Jul 1628	dep. Jan 1639	Reads Prayer Book; d.1661
Robert Douglas	Aug 1639	tr. Dec 1641	tr. to Tolbooth
Henry Rollock	Dec 1641	d. Jun 1649	
David Dickson	Apr 1650	dep. 1662	Chair of Divinity; Resolutioner; d. Dec 1662
Trinity: first charge			
Walter Balcanquhal	Apr 1598	d. by Nov 1616	condemns 1610 assembly, ceases preaching 1616
<i>no first</i>	<i>1617–26</i>		
Thomas Sydserf	Jan 1626	tr. Jan 1634	Dean of Edinburgh
<i>no first</i>	<i>1634–39</i>		
William Colville	Jan 1639	tr. Dec 1641	imprisoned England to 1640; tr. to Tron
<i>no first</i>	<i>1641–44</i>		
Robert Laurie	Mar 1644	tr. 1648	tr. to High Kirk
Hugh McKail	Oct 1649	d. 1665/6	
Trinity: first charge			
<i>no second</i>	<i>1612–25</i>		
John Maxwell	Nov 1625	tr. 1625	tr. to East Kirk
<i>no second</i>	<i>1626–28</i>		
Henry Rollock	Jan 1628	tr. 1635?	tr. to first charge?
James Elliot	Dec 1635	susp. Jan 1639	investigated, declared capable; England? d.1652 <i>admission of new minister begins Jan 1639</i>
<i>no second</i>	<i>1639–41</i>		
William Bennet	Oct 1641	d. Mar 1647	
John Smith	Mar 1648	dep. Aug 1662	Resolutioner; captured at Alyth; d. Dec 1667

East Kirk: first charge			
<i>no first</i>	<i>1601–26</i>		
William Forbes	Jan 1626	dem. Aug 1626	returns to Aberdeen
John Maxwell	Aug 1626	tr. Apr 1630	Bishop of Ross
<i>no first</i>	<i>1630–34</i>		
David Mitchell	1634	dep. Dec 1638	Bishop of Aberdeen 1662, d.?
<i>no first</i>	<i>1638–41</i>		
Andrew Ramsay	Dec 1641	dep. Jul 1648	Engager; d. Dec 1659
Thomas Garvin	Dec 1649	dep. 1662	d.1669
East Kirk: second charge			
<i>no second</i>	<i>1610–28</i>		
David Mitchell	Apr 1628	tr. 1634	tr. to first charge
David Fletcher	May 1635	dep. Jan 1639	Melrose, 1641; Bishop of Argyll, 1662
<i>no second</i>	<i>1639–47</i>		
James Hamilton	Nov 1647	dep. 1662	Captured at Alyth; d. at Inveresk, 1666
Greyfriars': first charge			
Andrew Ramsay	Apr 1614	tr. Dec 1641	College rector, 1620–36; tr. to East Kirk
George Gillespie	Sep 1642	tr. Sep 1647	tr. to High Kirk
<i>no first</i>	<i>1648</i>		
Robert Traill	Mar 1649	dep. 1662	with Montrose at d.; preaches to Charles II, d.1678
Greyfriars': second charge			
<i>no second</i>	<i>1599–1620</i>		
Patrick Sands	Dec 1620	dem. Aug 1622	Also College principal; d.1635
Robert Boyd	Oct 1622	dem. Jan 1623	Also College principal; Paisley 1626
<i>no second?</i>	<i>1624–30</i>		
James Fairlie	Nov 1630	tr. Jul 1637	Bishop of Argyll; Lasswade 1644
<i>no second</i>	<i>1637–44</i>		
Mungo Law	Mar 1644	d. Feb 1660	Captured at Alyth

Tolbooth: first charge			
Robert Douglas	Dec 1641	tr. Dec 1648	tr. to High Kirk
George Hutchison	Apr 1649	dep. Aug 1662	Attends Argyll at his d.; Irvine, 1669
Tolbooth: second charge			
<i>no second</i>	<i>1642–43</i>		
John Oswald	Dec 1643	tr. 1648	tr. to Prestonpans; d. 1653
<i>no second</i>	<i>1648–63</i>		
Tron: first charge			
William Colville	Dec 1641	dep. Jul 1649	Engager; Utrecht to College principal, 1662; d.1675
1652;			
Robert Laurie	Jul 1648	tr. 1662	tr. to High Kirk
Tron: second charge			
<i>no second</i>	<i>1641–50</i>		
John Stirling	Apr 1650	tr. Sep 1655	Protestor; tr. to Lady Yester's
<i>no second</i>	<i>1655–63</i>		

Sources: *Fasti*, vol. i. *Edin Recs 1604–26*, 290. *Edin Recs 1626–41*, 253–54.

d.	died
dem.	demitted charge
dep.	deprived
tr.	transferred

TABLE 3: LAY NONCONFORMISTS IN EDINBURGH, 1617–25

The Arnot Family

Rachel Arnot, a leading nonconformist, daughter of Sir John Arnot of Birswick, sometime provost, and wife of the merchant, Archibald Johnstone. Female family members unite Arnots with prominent legal families, the Skenes of Curriehill, Craigs of Riccarton and Stewarts of Kirkhill. Also related to Gilbert Burnet, bishop of Salisbury and, through her sister, Marion, to the Nisbets (see below). Grandmother of Archibald Johnstone of Wariston, who will marry into two leading legal families through Jean, daughter of Mr Lewis Stewart of Kirkhill (who dies 1633), and Helen Hay, daughter of Lord Foresterseat. Geddie, ‘Dean Group’, 93–4, 109. Wariston, *Diary*, pp. xi–xiii.

Dr Arnot.

Name removed from kirk session leet, December 1621, Calderwood, 518. No proof that he is related to Rachel Arnot, but a possibility.

William Bigge

Possibly William Biggar, merchant and litster (dyer), constable in 1621 and deacon of the north-east parish, 1620. ECA, SL154/3/1. *Edinburgh Burgesses*, 56. Challenges Mr Wm Struthers on his doctrine in March 1619, Calderwood, vii, 358.

Nicolas [sic] Balfour

Daughter of former Edinburgh schoolmaster, Mr James Balfour. Renowned for holding conventicles in her house; unclear how she escaped censure. Calderwood, 449. Livingstone, ‘Memorable characteristics’, 346.

James Cathkin

Merchant and stationer, brother of Edward, with history of non-conforming activity, McKerrow, *Printers and Booksellers*, 63, 64, 190, 170. Leeted for eldership of north-west parish, 1618, ECA, SL154/3/1. Openly absent from communion, Christmas 1618, Calderwood, *History*, vii, 348. Rejects order of the church, April 1620, Calderwood, 444, and censured, *RPCS*, 1st ser., vol. xii, 249. Name removed from kirk session leet, December 1621, Calderwood, 518. Protests against irregular election of minister, November 1623, Calderwood, 580. Interrogated personally by James VI in London, ‘A relation of James Cathkin his imprisonment and examination about printing the nullity of Perth Assemblie’, *Bannatyne Miscellany*, i (Edinburgh, 1827), 197–215, where he also mentioned his partner, Andrew Hart and Hart’s brother, Samuel, 209, 213.

John Dickson

Merchant and flesher, *Edinburgh Burgesses*, 149. Deacon of the fleshers, *Edin Recs 1604–26*, 168, 182, 226, 237. Protests against irregular election of minister, November 1623 and criticises new minister, William Forbes, Calderwood, 581–82, 596. Censured by privy council, April 1624. Calderwood, 581, 601–3. *RPCS*, 1st ser., vol. xiii, 490.

John Fleming

Merchant and town councillor, elder brother of Bartle. *Edinburgh Burgesses*, 184. *Edin Recs 1604–26*, 245. Deacon of north-west parish, 1617, ECA, SL154/3/1. Refuses to wait on communion tables and calls the new form ‘corruption’, March 1621, Calderwood, 456. Avoids censure by privy council, April 1624, Calderwood, 581, 601–3. Livingstone, 346.

Bartholomew Fleming (Bartilmo, Bartle)

Merchant burgess of Edinburgh, younger brother of John. *Edinburgh Burgesses*, 184. Daughter Janet marries Richard Dickson, nonconforming minister of St Cuthbert’s, D Mullan, *Scottish Puritanism, 1590–1638* (Oxford, 2000), 148. Asks if ‘men will serve contrare to their conscience?’ Calderwood, 362. Livingstone, ‘Memorable characteristics’, 338. Deacon of south-west parish, 1619, ECA, SL154/3/1.

Mr Thomas Gray

Advocate and burgess, *Edinburgh Burgesses*, 219. Criticises ministers’ doctrine, April 1622, Calderwood, 544.

John Hamilton

Apothecary. Name scrubbed from kirk session leet, December 1621, Calderwood, 518. Protests against irregular election of minister, November 1623, Calderwood, 581. Censured by privy council, Calderwood, 581, 601–3, 616. *RPCS*, 1st ser., vol. xiii, 490. Livingstone, ‘Memorable characteristics’, 344, 346.

Barbara Hamilton

Wife of John Mein, sister-in-law of Robert Blair, Richard Dickson and Bartholomew Fleming, aunt of John Livingston’s wife, Janet. Credited with leading riot on 23 July 1637. D Stevenson, ‘Conventicles in the Kirk, 1619–1637: The Emergence of a Radical Party’, *RSCHS*, xviii (1972–74), 105. D Mullan, *Scottish Puritanism, 1590–1638* (Oxford, 2000), 148.

Laurence Henderson

Merchant burgess and bailie, *Edinburgh Burgesses*, 245. *Edin Recs 1626–41*, 209. *Edin Recs 1642–55*, 82, 103, 174, 213. Deacon of south-east parish, 1618, ECA, SL154/3/1. Protests against irregular election of minister, November 1623, Calderwood, 581.

John Inglis

Burgess, *Edinburgh Burgesses*, 269. Deacon of skimmers, *Edin Recs 1604–26*, 45, 54, 182, 197. Kirk session member, north-west parish, 1621, 1636. ECA, SL154/3/1. States that ‘men cannot serve contrarie to their mynd’, Calderwood, 362.

Thomas Inglis

Burgess skinner, *RPCS*, 1st ser., vol. xii, 249. Deacon of south-west parish, 1630? SL154/3/1. Rejects forms of worship and sentenced to banishment, April 1620, Calderwood, 444. *RPCS*, 1st ser., vol. xii, 249.

Dr [John] Jollie

Doctor of medicine and graduate of Edinburgh’s college in 1601, *Edinburgh Graduates*, 18. To investigate the establishment of a College of Physicians in 1630, *RPCS*, 2nd ser., vol. iv, 69. A ‘worthy servant of God and notable friend’ of Archibald Johnstone of Wariston, also a friend of John Livingstone. Dies in April 1638 after signing

Covenant. *Wariston's Diary*, 326, 346. Treats James Cathkin before his death, *The Bannatyne Miscellany* ed. D Laing (3 vols, Bannatyne Club, 1836), ii, 251, 254. Name removed from kirk session leet, December 1621, Calderwood, 518.

George Keith

Unknown. Takes communion seated at Easter 1621, Calderwood, 460.

Dr Kincaid

Most likely a class-mate of Dr John Jollie, Alexander Kincaid, also doctor of medicine. *Edinburgh Graduates*, 18. (Less likely to be Mr George Kincaid, doctor of physic, on leet for rectorship of college 1647, *Edin Recs 1641–55*, 140.) Name removed from kirk session leet in December 1621, Calderwood, 518. Involved in money-lending; dies, leaving a net estate worth over £20,000, in 1649, H Dingwall, *Physicians, Surgeons and Apothecaries: Medicine in Seventeenth-Century Edinburgh* (East Linton, 1995), 27, 32.

Adam Lawtie

Apothecary, mentioned in Livingstone, 346. Livingstone is either confusing him with John Lawtie, burgess apothecary, who leaves a legacy to the college, *Edin Recs 1604–26*, 234, or with Adam Lawtie, burgess, writer to the signet, *Edinburgh Burgesses*, 304.

James Lawson

Tailor, mentioned in Livingstone, 346. Possibly a burgess who began as a skinner, *Edinburgh Burgesses*, 303. May have been confined after James Cathkin was interviewed, suggesting a link to Richard Lawson, 'A relation of James Cathkin', 213–14.

Richard Lawson

Merchant burgess, *Edinburgh Burgesses*, 303 and bookseller, McKerrow, *Printers and Booksellers*, 63, 64, 190, 170. Openly absent from communion, Christmas 1618, Calderwood, 348. On leet for eldership of north-east parish, 1618, SL154/3/1. Rejects forms of worship and sentenced to banishment, April 1620, Calderwood, 444. *RPCS*, 1st ser., vol. xii, 249. Name scrubbed from kirk session leet, December 1621, Calderwood, 518.

(Robert Lockhart)

Merchant burgess of Edinburgh. Livingstone, 346. As he did not become a burgess until 1643, he was clearly not a nonconformist in the 1620s. *Edinburgh Burgesses*, 316. *Edin Recs 1641–55*, 174, 213.

Thomas MacAllum

Possibly Thomas McAulay, burgess, writer to the signet, *Edinburgh Burgesses*, 322. Called a clerk by Calderwood, criticises minister's doctrine, Calderwood, 596–99.

John Mein

Merchant burgess, *Edinburgh Burgesses*, 345. Father of Mr John Mein, minister of Anwoth, *Edinburgh Burgesses*, 346. *Edin Recs, 1642–55*, 132. Openly absent from communion, Christmas 1618 and challenges ministers on doctrine. Calderwood, 348, 358, 361, 378. As deacon, refuses to serve at communion tables, Calderwood, 362. SL154/3/1, anno 1619. Rejects form of worship and sentenced to banishment, April 1620, Calderwood, 444. *RPCS*, 1st ser., vol. xii, 249. Protests against irregular election of minister, November 1623, and censured by privy council, April 1624,

Calderwood, 581, 601–3, 616. *RPCS*, 1st ser., vol. xiii, 490. Livingstone, ‘Memorable characteristics’, 344. Deacon of south-east parish, 1643, *ECA*, SL154/3/1. Councillor, 1649, *Edin Recs 1642–55*, 213.

Robert Meiklejohn

Skinner, burgess, *Edinburgh Burgesses*, 345. Town councillor, *Edin Recs 1626–41*, 81, 114, 132, 209, 223. *Edin Recs 1642–55*, 13, 35, 104, 133. Rejects forms of worship and sentenced to banishment, April 1620, Calderwood, 444, *RPCS*, 1st ser., vol. xii, 249. Commissioner for the burgh, 1630s, *Edin Recs 1626–41*, 132, 137, 141, 222, 242. *Edin Recs 1642–55*, 18, 22, 23, 29, 31, 127, 129. Participant in Covenanting government, *Edin Recs 1642–55*, 40, 46.

Joseph Millar

Advocate, Convening to judge doctrine in 1624, and avoids censure by privy council in April, Calderwood, (mistakenly called an apothecary), 581, 600–3. Possibly a graduate of the town’s college, 1619, *Edinburgh Graduates*, 33.

Charles Mowat

Attends conventicles at Nicolas Balfour’s house, Livingstone, 346.

James Nairn

Merchant burgess, dead by 1660, *Edinburgh Burgesses*, 375. Called an ignorant recusant by Mr. Wm Forbes, March 1624, Calderwood, 599. Councillor 1625, *Edin Recs 1604–26*, 280.

William Nisbet

Merchant burgess of Edinburgh, *Edinburgh Burgesses*, 383. Councillor, 7, 15, 45, 54, 119, 132, 197, 245, 256. Elected provost, 1616–18, 1622, *Edin Recs 1604–26*, 136, 147, 167, 182. Knighted Sir William, of the Dean, 1617, *Edin Recs 1604–26*, 167. Absent from communion, March 1619, Calderwood, 359. As Provost, claimed it was not the business of the town council ‘to informe the people concerning maters of religion’, Calderwood, 391. Refuses to subscribe oath of obedience to Articles, 1624, Calderwood, 628. Dies 1639, Geddie, ‘The Dean Group’, 96–7.

William Rig

Merchant and bailie, rejects forms of worship, April 1620, Calderwood, 444, and censured, *RPCS*, 1st ser., vol. xii, 249. Refuses to vote in election of new minister, October 1620, Calderwood, 448. Censured by privy council, April 1624, Calderwood, 581, 601–3, 611, 617, 624. Imprisoned in Blackness, Livingstone, ‘Memorable characteristics’, 342. *RPCS*, 1st ser., vol. xiii, 490, 522. Close friend of Elizabeth Melville, Lady Culross, daughter of Sir James Melville of Halhill, Livingstone, ‘Memorable characteristics’, 346. Suppresses work of William Forbes, Gordon, *Scots Affairs*, iii, 239–41. Leaves legacy to college, *Edin Recs 1642–55*, 136, 189, 203, 219.

Dr [George?] Sibbet [Sibbald]

Doctor of medicine, asked to investigate the establishment of a College of Physicians in 1630, *RPCS*, 2nd ser., vol. iv, 69. Name scrubbed from kirk session leet, December 1621, Calderwood, 518.

John Smith

Merchant burgess of Edinburgh, town councillor, *Edin Recs 1626–41*, 14, 114, 196, 209, 223, 251. *Edin Recs 1641–55*, 1, 13, 103. Baillie, *Edin Recs 1626–41*, 97, 182, 244. Provost, *Edin Recs 1642–55*, 35, 53, 82. Commissioner for burgh (against Prayer Book), *Edin Recs 1626–41*, 197, 203, 214, 222, 230. *Edin Recs 1642–55*, 29, 31, 44, 46, 61, 71, 78. Knighted as Sir John, of Grothill (Grottal), 1641, *Edin Recs 1641–55*, 1. For extensive participation in Covenanting regime, see Chapter Seven. His minister tells him in kirk session that he ‘should not speak, but be catechized’, Calderwood, 599.

William Simson

Merchant burgess, *Edinburgh Burgesses*, 482. Convenes to judge doctrine and censured by privy council, Calderwood, 581, 601–3. Called a vintner when censured, *RPCS*, 1st ser., vol. xiii, 503, 522. Possibly on interim committee, 1651–52, *Edin Recs 1642–55*, 310.

Sir James Skene, Lord Curriehill

Lord of Session and Privy Councillor, refuses to kneel in 1619 but may have been at the behest of his wife, Janet Johnstone, Archibald Johnstone of Wariston’s aunt. Calderwood, 383. *RPCS*, 1st ser, vol. xi, pp. lxxiii–iv, 595–96, 598–99.

Beatrix Weddell

Spouse of Thomas Addinston; he was leeted for the eldership of north-west parish, 1618, SL154/3/1. She has communion bread taken from her at Easter 1620, Calderwood, 438.

James Weill

Merchant burgess, *Edinburgh Burgesses*, 517. Refuses to kneel or observe holy days, April 1622, Calderwood, 544.

Primary sources: *Roll of Edinburgh Burgesses and Guild-Brethren, 1406–1700*, ed. C.B. Boog Watson (SRS, 1929). *Edin Recs 1604–26, 1626–41, 1642–55*. *RPCS*, 1st series. Calderwood, *History*, vol. vii. J. Livingstone, ‘Memorable Characteristics and Remarkable Passages of Divine Providence’, in *Select Biographies*, ed. W.K. Tweedie (2 vols., Wodrow Society, 1845), vol. i. *The Scots Peerage*, ed. J. Balfour Paul (8 vols., Edinburgh, 1904–14). R.B. McKerrow (ed.), *A Dictionary of Printers and Booksellers 1557–1640* (London, 1910). *A Catalogue of the Graduates of the University of Edinburgh*, (Edinburgh, 1858). *The Bannatyne Miscellany I* (Edinburgh, 1827). J. Geddie, ‘Sculptured Stones of Old Edinburgh: The Dean Group’, *BOEC*, i (1908). *Diary of Archibald Johnston of Wariston 1632–39*, ed. G. Morison Paul (SHS, 1911).

TABLE 4: LIST OF EDINBURGH BURGESSES
PARTICIPATING DIRECTLY IN COVENANTING
GOVERNMENT

<i>Name</i>	<i>Occupation</i>	<i>Name</i>	<i>Occupation</i>
John Binnie	merchant	James Monteith	pewterer?
John Denholm	merchant	Thomas Paterson	tailor
James Denniston	goldsmith	James Rae	merchant
William Dick	merchant	(William Rig*	merchant)
David Douglas	surgeon	James Roughead	merchant
Edward Edgar	merchant	John Scott	?
Lawrence Henderson	merchant	John Smith	merchant
John Jossie	merchant	James Stewart	merchant
John Kniblo	merchant	Archibald Sydserf	merchant
Robert Lockhart	merchant	William Thomson	merchant
Richard Maxwell	sadler	Archibald Tod	merchant
Robert McKean	skinner	David Wilkie	merchant
John Milne	mason		

* William Rig was technically a representative of Fife.

Sources: NAS, PA15/11/1, p. 63. NAS, PA14/1, f.25r. J.R. Young, *The Scottish Parliament 1639–61: A Political and Constitutional Analysis* (Edinburgh, 1996). D. Stevenson (ed.), *The Government of Scotland under the Covenants 1637–1651* (SHS, 1982). M.D. Young (ed.), *The Parliaments of Scotland* (2 vols, Edinburgh, 1993).

Note: A more thorough search of the papers of the committee of estates may reveal more Edinburgh participants in Covenanting government. These papers are still in manuscript and are not indexed.

TABLE 5: DEBTS INCURRED BY THE TOWN COUNCIL
DURING 1649–50

28 September 1649

Creditor	Details	Amount merks	£Scots	new debt?
John Fairholm	owed as treasurer 1645	2,924		
Malcolm Leishman	legator to d. Marie Lyll, 1649	3,000		
Edward Little	to William Acheson, paid to Robert Acheson, 1649		1,000	
The Ministers	loaned during seige of castle, 1640	5,000		
Lady Yester	an old debt reaffirmed 1649	5,000		
Henry Lyll of Linton Bridges	legator to d. Marie Lyll, 1649	2,000	333	
Margaret Mowat	daughter of Roger Mowat, advocate to Marie Lyll, 1649			
John Binnie	owed as kirk treasurer, March 1649	6,000		
Masters of Hospital	in place of legacy by Thomas Dodds to the Hospital	1,000		
John Halyburton	loaned as treasurer to session for Leith fortifications	9,000		
John Fairholm	part of £12,000 debt to Heriot's trustees, 1643	5,000		
Archibald Hutcheson	assignee to Marie Lyll's legators		886	
Andrew Hamilton	keeper of Register of Sasines, Jun 1649 (part of Heriot's trusteeship)	5,000		
John Halyburton	for Dame Elizabeth Wilson and Heriot's trustees	6,000		yes
John Halyburton	for Heriot's trustees	2,000		
James Ellis	to pay off town's debt to his father, 1640	4,000		
Andrew Stein of Auchtertoul	to pay Majors Affleck and Weir	4,000		yes
Sir John Wauchope of Niddrie	for the Leith fortifications	4,000		yes
Margaret Douglas	daughter of James Douglas of Morton Mains, for the fortifications of Leith		3,000	yes
[blank]	to pay 3 Irish companies	2,000		yes
Mr Alexander	to pay William Simson, his creditor	6,500		yes
[blank]	augmentation of clergymen's stipends, 1648–49		3,000	
£Scots merks		69,500	11,143	
<i>TOTAL £Scots</i>			57,476	

Sums of money borrowed by the good town for relief of old bands, 1648–49

Creditor	Details	Amount £Scots
Sir James McGill of Cranston-Riddell	in the name of the Lords of Session	23,666 13 4
William Sommerville	bailie of Hilton, with Magdalene Herring for paying the heirs of Andrew Hill	2,666 13 4
George Suittie	dean of guild, with Edward Little	4,333 6 8
Mr William Rutherford	writer	10,666 13 4
Isobel McLelland	relict of Mr John McLelland, minister at Kirkcudbright	2,000 0 0
William Trotter's heirs	former town councillor	10,000 0 0
TOTAL		53,333 6 8

ECA, Town Treasurer's Accounts, vol. vi, 21.

Money borrowed from the neighbours for the 'urgent and necessarie affaires', 1648–49

Creditor	Amount £Scots	Creditor	Amount £Scots
Mr John Anderson, advocate	2,000 0 0	Laurence Henderson	666 13 4
Margaret Johnstone, r. George Baillie	2,666 13 4	John Lauder	666 13 4
Sir James Stewart, provost	666 13 4	Robert Murray	666 13 4
Robert Foulis, bailie	666 13 4	Andrew Ramsay	666 13 4
Robert Lockhart, bailie	666 13 4	James Ellis	666 13 4
James Roughead, merchant	666 13 4	William Rid	666 13 4
Sir William Dick	1,333 6 8	Archibald Ker	666 13 4
John Halyburton, elder	333 6 8	Thomas Calderwood	666 13 4
George Rid, elder	333 6 8	Samuel Lockhart	666 13 4
James Gray	333 6 8	Archibald Sydserf	666 13 4
Walter Young	333 6 8	Andrew Bryson	666 13 4
Alexander Clerk	333 6 8	Alexander Lockhart	666 13 4
George Rid, younger	333 6 8	David McGill	666 13 4
Thomas Begg	333 6 8	Thomas Leishman	666 13 4
Alexander Brand	333 6 8	James Philp, writer	666 13 4
William Johnstone	333 6 8	James Alison	666 13 4
James Colquhoun	333 6 8	Robert Brown	666 13 4
William Mitchelson	333 6 8	John Bonar	666 13 4
John McMorran	333 6 8	William Mure	666 13 4
James Brown, cordiner	333 6 8	Thomas Spence	666 13 4
James Cairniecastle	333 6 8	Patrick Hepburn, apothecary	666 13 4
Thomas Paterson	333 6 8	Robert Acheson	333 6 8
TOTAL:			30,800 0 0

ECA, Town Treasurer's Accounts, vol. vi, 22–4.

SOURCES IN THE EDINBURGH CITY ARCHIVES

There are extensive collections of manuscript material in the Edinburgh City Archives for the first half of the seventeenth century. Unfortunately, decades of under-funding by the Council means that facilities are limited and cataloguing is poor in comparison to other local archives such as Dundee. This situation worsened during the writing of the book. Chronic financial problems and staff shortages have reduced the service available to the public. This is a major archive with rich material detailing the capital's history over more than half a millennium. Its potential is yet to be realised.

In 2003, archivists Pam McNicol and Stefanie Davidson created a database listing all their existing catalogued material. Some of the account books used in this thesis have not yet been given a catalogue number, but can be found in the Handlist of Historical Documents, available on request.

Below is a full list of the material covering the first half of the seventeenth century in the ECA. A guide to using the extent rolls (SL135/1) can be found in Stewart, 'Politics and Religion', Appendix. More material, notably decret books, can also be found in the NAS, B22.

Catalogued items

Baxters' guild

SL33/1

Inventory 1522–1770

Baxters of Canongate sederunt books

SL151/1/1

Dean of guild accounts:

SL144/3 1613–23

SL144/4 1624–46

Extent rolls:

SL135/1/1	1580–93	SL135/1/2	1601–30
SL135/1/3	1631–43	SL135/1/4	1646 (fragment)
SL135/1/5	1646 (fragment)	SL135/1/6	1647
SL135/1/7	1649–50	SL135/1/8	1655

Hammermen of Canongate inventories

SL69/1/1 1522–1770

Kirk treasurer's accounts:

SL154/1 1615–63

Leith court book: decreets

SL86/1/1 1624–28

*Moses and McLeod Bundles**Trinity College Hospital:*

SL152/11/1	Discharges, 1622–23	SL152/11/1	1644
SL152/3/1	Accounts, 1616–66	SL152/15/4	Miscellaneous; including registrations 1650

Town council minutes:

SL1/12	1609–17	SL1/13	1617–26
SL1/14	1626–36	SL1/15	1636–44
SL1/16	1644–48	SL1/17	1648–53

Weavers of Canongate seals of cause and other documents

SL151/2/2 1607–1865

Weavers of Canongate sederunt books:

SL151/2/1	1610–24	SL151/1/2	1644–1713
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Wrights and coopers of Canongate sederunt books

SL151/3/1/1 1645–90

Handlist:

<i>Acts of the bailies of the Canongate</i>	1623–1732
<i>Acts of the deacons of crafts, vol. i</i>	1578–1678
<i>Account for goods in Edinburgh's weigh-house</i>	1613–17
<i>Accounts for the building and repair of churches</i>	1635–48
<i>Accounts for the 11 common mills of the city</i>	1621–27 includes impost on wine, 1632–36
<i>Annualrents of the burgh and its possessions</i>	1582–1701
<i>Annuity tax or housemaills</i>	1634–36
<i>Bailies' accounts</i>	1564–1689 see also some accounts for the 1640s and 1650s, Moses Bundle, 186.
<i>Black books, vol. i (the bailies)</i>	1627–1679
<i>Burgesses and apprentices</i>	1618–35 1640–57
<i>Burgh court book</i>	1649–82
<i>College accounts</i>	1640–1702
<i>Court of Session</i>	
<i>Summonses, hornings, poindings</i>	1596–1699
<i>Miscellaneous proceedings</i>	1612–1747 and 1607–1730
<i>Extent roll for the royal burghs</i>	1633–36
<i>Fleshers' guild papers</i>	1558–1850

Newspapers

<i>Facsimile execution warrant</i>	January 1649
<i>Weekly News</i>	January 1606
<i>Intelligencer</i>	January 1649
<i>Gazette</i>	September 1658

Parliament house accounts

1633–40

These accounts have been bound in reverse order ie 3rd term comes before 1st, with each quarter of the burgh in correct sequence

St Paul's Work:

1619–75

Town treasurer's accounts:

vol. iv	1612–23	vol. v	1623–36
vol. vi	1636–50*	vol. vii	1650–66

Wine impost

- i. 1612–42 with shore dues, 1638–39
- ii. 1641–42 wines received by tavereres
- iii. 1649 wines sold
- iv. bills and receipts
- v. 1649–50 dues
- vi. duties 1659–60

*Writs belonging to the city
Inventory*

28 November 1638
1653 (with transcription)

Receipts of writs borrowed

1639–1754

* In vol. vi, pagination begins at p. 1 with each new year.

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Add.Ms.28,011	Proceedings in Parliament, 1620–41
Add.Ms.33,262	Scotland's Rents and Tenths, 1639
Add.Ms.40,885	Loch Family Papers
Add.Ms.267,091	Alphabet of Arms
Eg.Ms.2,533	Nicholas Papers
Harl.Ms.457	Minutes of the Council at York, 1640–41
Stowe.Ms.187	Negotiations at Westminster, 1640–41

Edinburgh City Archives [ECA]

Some of the material does not have a catalogue number. See Handlist of Historical Documents, available on request.

Catalogued Material

SL1/12–17	Town Council Minutes, 1609–53
SL144/3–4	Dean of Guild Records, 1624–46
SL135/1/2–8	Stent Rolls, 1601–55
SL154/1	Kirk Treasurer's Accounts, 1615–63
SL152/3/1	Trinity College Hospital, Accounts, 1616–66
SL152/11/1	Trinity College Hospital, Discharges, 1622–44

Handlist

Accounts of the Building and Repair of Churches, 1635–48
Baillies' Accounts, 1564–1689 (see also Moses Bundle, 186)
Black Books, 1627–1702, vol. i
Burgh Court Register of Decrees, 1630–42, vol. xi
Dean of Guild Accounts, 1568–1720
Parliament House Accounts, 1633–40 (bound in reverse order)
St Paul's Work, 1619–75
Town Treasurer's Accounts, 1612–66, vols. iv–vii

Other Material

Abstract from the Protocol Books of John Hay (card index)
McLeod Bundles (indexed)
Moses Bundles (indexed)

National Archives of Scotland [NAS]

B22/8/31	Burgh of Edinburgh Register of Deeds
CC/8/8	Edinburgh Commissary Court Register of Testaments
CH2/136/84	Edinburgh Kirk Council Book, 1625–57
CH2/141/1	Kirk Session Register, Trinity College, 1626–38
E73	Exchequer: Customs Accounts
E78	Exchequer: Excise Accounts
GD18	Clerk of Penicuik Papers

- GD22/3/582 Cunningham-Graham Muniments
 GD112/39/63 Breadalbane Muniments
 GD406/1 Hamilton Muniments
 PA7/3-7 Supplementary Parliamentary Papers, 1643-50
 PA41/1 Committee of Common Burdens, 1641-45
 currently microfilm RH3/10/766
 PA14/3 Committee of Monies (south), 1646
 PA15/1 Army Accounts, 1639-40
 PA15/5 Earl of Callander's Army Accounts, 1644-45
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 Wod.Qu.XXV Papers from the Covenanting Period, 1636-41
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